

Lawyers block MPs' questioning on missing Mirror Group pension money

The Maxwell brothers stay silent

QC fears 'trial by television'

BY JILL SHERMAN, POLITICAL CORRESPONDENT

IAN and Kevin Maxwell stonewalled MPs for two hours yesterday, bluntly refusing to answer questions about millions of pounds missing from the Mirror group pension fund.

Robert Maxwell's sons had been ordered to appear before the Commons social security select committee after failing to turn up last month. But while they answered the summons, they uttered hardly a word as their lawyers insisted on their right of silence. MPs are now seeking advice on whether the brothers are in contempt of Parliament.

George Carman, QC, told the MPs that he expected Kevin Maxwell to face criminal charges soon, and it was a basic principle of English law that a person did not have to testify against himself. Pointing to the television cameras broadcasting live, he added that Mr Maxwell might be denied a fair trial if prospective jurors were watching.

John Jarvis, QC, for Ian Maxwell, also expressed fears of "trial by television" and said that should not be tolerated in a civilised society.



Sound of silence: Kevin and Ian Maxwell tight-lipped under questioning from MPs of the Commons select committee yesterday

Both he and Mr Carman offered written answers to some questions if the responses were not made public or passed to the Serious Fraud Office, but Frank Field, the committee chairman, would not guarantee such secrecy.

He said later that the brothers' attitude was "unprecedented" and raised "very grave" constitutional issues. "We regard it as immensely serious that our requests for documents or copies of documents have not been produced, and we regard it equally seriously that the questions which we put were not answered," Mr Field told reporters after the hearing. A report is likely to go before the Commons later this week and MPs will then decide whether to refer the matter to the privileges committee, which can order the Maxwell brothers to explain their actions to the House.

Mr Field had opened yesterday's hearing — part of a general enquiry into pension funds — by assuring the Maxwells: "This is not a trial." The brothers were not on oath, but parliament took a dim view if witnesses refused to answer questions.

But Mr Carman immediately argued: "The right to silence is constitutionally paramount." To question Kevin Maxwell on "matters that might be the subject of criminal proceedings would be to deny him that right."

David Hare, Conservative MP for St Ives, demanded: "What about the rights of pensioners? How can we go about our enquiry to protect the interests of so many people if we go along with your suggestion that they should have the right of silence?" Mr Carman countered: "It may or may not be that Mr Kevin Maxwell could actively contribute to the deliberations and recommendations of the committee, but all that is subordinate to the inalienable right to silence."

Mr Jarvis told the committee that Ian Maxwell was willing to answer some questions subject to "certain safeguards". These included that the answers should remain confidential and that no direct reference should be made to them in any report until there was no longer a risk of prejudice to his client.

John Browne, Conservative

MP for Winchester, suggested that the brothers could present their evidence in private if the committee undertook "not to divulge it to the Serious Fraud Office, but that idea was not supported by other committee members and, after a 20-minute adjournment, Mr Field said members would continue with their questioning. "We cannot change our procedure. You must know the difficulties involved in guaranteeing the secrecy that you have asked for."

But each time he tried to ask a question, the brothers referred it to their lawyers — and the two QCs replied that there would be no answer.

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Ministers challenged, page 6
Diary, page 12
Leading article, page 13
Law Times, page 27

Tories question Labour credibility over defence

BY ROBIN OAKLEY AND NICHOLAS WOOD

THE government yesterday signalled its determination to play the defence card in the general election campaign by confirming that the prime minister will at the end of the month chair a special meeting of the United Nations Security Council and challenge Labour over nuclear weapons.

Tom King, the defence secretary, gave a warning that the break-up of the Soviet Union meant the risk of nuclear war had never been greater, while John Major made clear that he would shortly return to the world stage by presiding over international efforts to stop the former Soviet Union's nuclear arms and expertise falling into the hands of Third World dictators.

Emerging from an hour of talks at No. 10 with Boutros Boutros Ghali, the UN secretary-general, Mr Major disclosed that he had invited President Yeltsin to visit London on the eve of the special security council summit in New York. "The security area of particular importance will be the question of disarmament and non-proliferation and the very important role

the UN has to play in that," he said.

The prime minister deflected questions linking the UN chief's visit with Conservative attempts to exploit defence for electoral purposes. But the clear message given to the high profile given to the talks with Dr Boutros Ghali was that the Tories believe themselves better able than Labour to deal with the un-

Continued on page 18, col 4

Woodrow Wyatt, page 12

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THE ENERGY TO SUCCEED

Algeria extremists urge people to confront army

FROM JOHN PHILLIPS AND ALFRED HERMIDA IN ALGIERS

ALGERIAN fundamentalist leaders yesterday called on the people to fight the military after free parliamentary elections were cancelled and tanks and troops were sent on the streets.

Western diplomats said leaders of the Islamic Salvation Front were braced for a clampdown by security forces and had moved printing equipment from their headquarters in Algiers. One diplomat said that some fundamentalist activists had been arrested, but this could not be immediately confirmed.

The statement denounced what it called "despotism in the service of foreigners", and added: "We call on the people to stand ready. We appeal to the people to protect their choice and reject any moves aimed at interfering with their wishes and delaying the process of change."

The leader of the moderate democratic opposition, Hocine Ait Ahmed, said the murky manoeuvres by authorities after the resignation

of Saturday of Chadli Benjedid, the president, and Sunday's abrupt cancellation of the second round of elections, scheduled for Thursday, amounted to a coup.

Are we in a takeover situation? I am afraid the answer is yes, even though it has been done without apparent violence," Mr Ahmed said.

Last night the streets of Algiers were tense, with tanks and riot police stationed at key installations. Political experts doubt whether the security council, which assumed power on Sunday night, will now hold new presidential elections which according to the constitution should be held within 45 days.

Militants wait, page 8
Michael Binion, page 12

US support for Bush slumps to new low

FROM MARTIN FLETCHER IN WASHINGTON

PRESIDENT Bush's opinion poll rating dropped to an all-time low yesterday. A Gallup poll for Cable News Network and USA Today gave Mr Bush 46 per cent support, down from 59 per cent just after the Gulf war. The survey was conducted before his widely derided trip to Japan last week.

The Gallup survey closely followed a New York Times poll that gave Mr Bush 48 per cent support, and made gloomy reading for the presi-

dent and his team of campaign advisers. Just 24 per cent of respondents approved of his economic stewardship, 68 per cent thought he devoted too little attention to America's domestic problems, and 63 per cent believed that he favoured the rich. His support has slipped fastest in the south, a key electoral region.

A separate poll yesterday showed Patrick Buchanan. Continued on page 18, col 2

Gall at risk, page 19

Curses! I could swear you were being rude

FROM CHARLES BRENNER
IN NEW YORK

THE next time that some foul-mouthed driver curses you in traffic, avoid returning the compliment and try something like: "May you become famous. They should name a disease after you." It may not have the same impact, but at least you would score for creativity, according to Reinhold Aman, America's foremost expert on cursing.

Dr Aman, who cites Yiddish put-downs as one of his favourites, offers thousands of more obscure insults in *Maledicta*, the International Journal of Verbal Aggression, a biannual publication that finds no image too obscene nor curse too obscene to record in the name of scholarship. Should you wish to remand a wailer on your next trip to Tbilisi, for example, "Elementary Ge-

gian Obscenity", an article in *Maledicta*'s latest issue, suggests "Mamajaglo" or, "father of a dog." Dr Aman, a Bavarian with a PhD in medieval language, says Hungary is home of the most obscene and imaginative cursing of any culture he has studied in his 26 years of cursology.

The Hungarian is really the tops. It combines the most hair-raising blasphemies, obscenities and scatologies," he says. He quotes what he says is a mild example, involving God and bodily functions and adds: "The others are much worse and unprintable in a family newspaper."

"I like to quote Freud when he said to his daughter Anna: 'The first human being who hurled a curse instead of a weapon was the founder of civilisation,'" says Dr Aman, noting that foul language is by no means the preserve of

the uneducated or the low class.

Yiddish, he says, offers the most imaginative and least obscene ways of insulting people. "The Jews have about 2,000 years of experience, practising being without arms. Instead of using physical aggression like other cultures, they had to fight with their words." The only trouble is that in the 1990s the victim of your abuse may be a street away by the time you have hit the punchline of "May your bones be broken more often than the 10 commandments", or "May you inherit a shipload full of gold and it shouldn't pay for your doctors' bills". Those are favourites among the 2,000 Yiddish insults, compiled by Dr Aman, who lives in Santa Rosa, California. While Africans

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TODAY IN
THE TIMES
LAST THROW



"I tried a gentle practice throw," said Fatima Whitbread, who announced her retirement from competitive sport yesterday, "but my shoulder just dislocated. Deep in my heart, I knew that it was all over." Page 36

SHY STAR

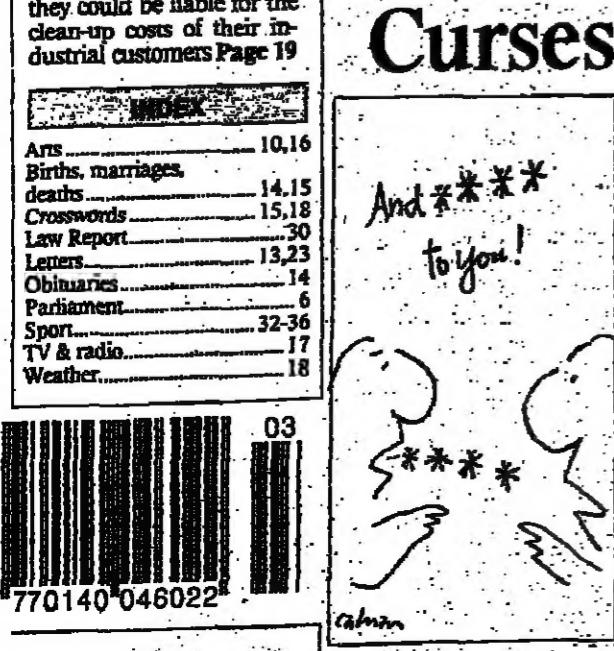


Viviana Durante, rising Royal Ballet star, explains why her natural shyness will help her face her biggest dramatic challenge: Giselle Page 10

IN THE BAG



Practicality is never a priority when Anya Hindmarch designs a handbag. Like other chic bags today, hers are barely big enough to hold credit cards and keys Page 11



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Just in time

Select committee defeated by refusal to answer any questions

Maxwell brothers let their lawyers do the talking

BY JILL SHERMAN, POLITICAL CORRESPONDENT

IAN and Kevin Maxwell hardly uttered a word at the House of Commons yesterday as their lawyers argued their right to remain silent over the millions of pounds missing from the Mirror Group pension fund.

Ordered to give evidence before the social security select committee after failing to attend last month, the brothers refused to answer any questions and left the talking to the lawyers.

It took nearly two hours, however, for George Carman, QC, for Kevin Maxwell and John Jarvis, QC, for his brother, to convince Frank Field, committee chairman, that the brothers

would stonewall him at every turn. Mr Field opened the meeting, which was part of a general enquiry into pension funds, by saying that "this is not a trial". The brothers were not on oath, he said, but "parliament took a dim view if witnesses refused to answer questions".

The battle lines were already drawn. Mr Carman immediately argued that Kevin Maxwell was "in peril" of criminal charges and it was a basic principle of English law that a person did not have to testify against himself. Mr Carman had said advised his client not to answer any questions which might incriminate him.

David Harris, Conservative MP for St Ives, was not impressed. "What about the rights of pensioners?" he asked. "I, in my own constituency, had a family absolutely devastated because of the lost pension years. How can we go about our enquiry to protect the interests of so many people in this country if we go along with your suggestion that they should have the right of silence?"

Mr Carman told the committee that Kevin Maxwell was likely to face criminal charges in the near future. "In my judgment I say two things on criminal charges: one that they are likely and two, they are likely soon."

Mr Jarvis claimed the brothers had a right to *sub judice*. He said the serious fraud office was investigating five areas relating to Ian Maxwell's business interests, including the pension funds. However he said that Ian Maxwell was quite willing to answer questions in writing as long as there were "certain safeguards".

"The safeguards we have in mind are that the answers which he gives should be kept confidential to the committee and that no direct reference to his answers should be made in any report which the committee produces until such time as there is no risk of prejudice to Mr Ian Maxwell."

After several fruitless attempts to elicit a response, Mr Field ended the hearing and said the committee would consider, in private, its next move.

Frank Coss in the Maxwell case, which could run to hundreds of thousands of pounds, are likely to be at the top end of lawyers' rates because of the complexity of the case and the leading names who have been briefed.

The brief fee in each case could be anything from £50,000 to £100,000, with a daily refresher of £1,000 to £2,000. The junior counsel would earn half the refresher fee. Then there are firms of solicitors, charging at least £200 an hour.

"Nothing like this has ever happened before," Mr White screamed frantically as nothing happened.

Mr Field's dignity cracked only once in the face of all this nothingness, when he suggested an adjournment so the MPs could decide how to proceed. Be speedy, Mr Carman urged them, speedier than judges, at least. Mr Field said that they would because, after all, "we're not paid by the hour".



George Carman: advised his client, Kevin Maxwell, not to answer any questions



Frank Field: Not a trial, he said, but a dim view was taken of witnesses' refusal to answer



John Jarvis: said his client, Ian Maxwell, was willing to answer in writing 'with safeguards'

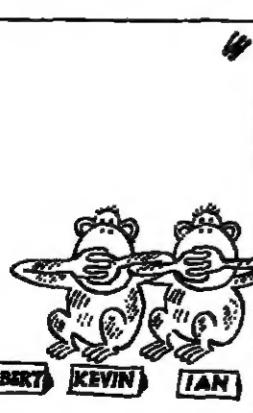
Defensive play takes edge off televised fixture

BY JOE JOSEPH

ONCE again, one of the most famous surnames was being dragged through the mud, this time in connection with what seemed to be rape. The proceedings were to be broadcast live on television, promising the nation a chance to decide.

Was this the final shattering of the myths surrounding a charismatic family whose influence once spanned the world? Were their lawyers up to performing under the glare of television lights? Would the witnesses buckle under questioning about what was done, and when? Did they know anything of the rape of funds that held the pensions of thousands? Was this trial by public opinion?

America had blow-by-blow television coverage of the William Kennedy Smith case and the Judge Clarence Thomas enquiry. Yesterday, we had Kevin and Ian Maxwell, forced to appear before a Commons committee trying to trace millions of pounds missing from Maxwell empire pension funds. Somehow, as television, it



Aid for North-West

Labour 'to end misery'

BY PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

LABOUR yesterday took its pre-election campaign to the North-West, promising a new deal for the people who lived and worked there.

The party has promised to set up a North-West development agency to end the "economic misery" that government policies had inflicted on the region.

John Smith, the shadow chancellor, told a press conference at Manchester airport that the agency would have extensive powers to regenerate the regional econ-

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my and provide a crucial means of recovery, enabling commerce and industry, trade unions, local government and a "supportive" central government to work together. "Labour will introduce special tax incentives to stimulate essential investment, end the 'boom-bust' economics of the Tory years, and put Britain on course for steady and sustained economic growth," he said.

Gordon Brown, shadow trade and industry secretary, said that Labour would back a North-West Technology Trust with universities, colleges, local authorities, research institutes and industries working together in an innovation centre, enabling even the smallest firms to benefit quickly from inventions. There would be a North-West export service to help hundreds of local firms which wanted to move into the exports market.

Tony Blair, shadow employment secretary, claimed that Labour's plans would eradicate "the scandal of poverty pay", by introducing a minimum wage of not less than £3.40 an hour, bringing Britain into line with "the

best practice elsewhere in Europe".

Labour's development agency proposal received a cautious welcome from business leaders in the region yesterday (Ronald Faux writes).

The Scottish and Welsh development agency models have long been the envy of industrial leaders in the North-West. The closest it has to such a body is Inward, a government-supported agency which encourages industry to regenerate the region.

Tom Weatherby, its chairman, said a North-West development agency would be a useful tool to revive the economy and help the region compete for new industry, but more would need to be known about Labour's plans and the level of funding before giving it unqualified approval.

A spokesman for the Confederation of British Industry in the North-West said that another layer of bureaucracy would not be welcomed. Regeneration of the region should be through a business-led partnership with the training and enterprise councils and other agencies involved.

Geldof loses his cool on aircraft

BY HARVEY ELLIOTT, AIR CORRESPONDENT

BOB Geldof became so agitated at being held on an aircraft diverted to Stansted airport from Heathrow that he was arrested.

The Live Aid organiser had to sit on his Royal Air Maroc 727 at the Essex runway rather than land at Heathrow as originally planned. After at least an hour in the 727 cabin he began to lose his cool to such an extent that the police were called and he was taken off the aircraft for "discussions" with the constabulary.

After letting off steam in a police car on the tarmac Mr Geldof, who was returning on Sunday to Britain with his wife Paula Yates and daughter Fifi Trixibelle, calmed down and, in a novel police phrase, was "de-arrested" and asked to use his influence to calm other passengers.

Stansted, meanwhile, was counting the additional landing fees from the 36 aircraft, paying an average of £200 each to land at the one airport in the South which was banking in the sun. Once Mr Geldof and his fellow passengers were allowed off five hours after they had landed, the airline had to pay an extra £2 a head, a charge that is waived if they do not disembark.

Stansted, which normally

Silence right eroded in law

BY FRANCES GIBB, LEGAL CORRESPONDENT

The right to silence, hailed by George Carman, QC, yesterday as a "constitutionally paramount", is the latest example of growing friction between an ancient and basic principle of common law and the powers of investigators.

Yesterday the Maxwells exercised the right on two occasions: first, in the Court of Appeal at the start of Kevin Maxwell's appeal against a ruling that he must answer questions about £450 million missing from the Mirror Group pension funds and, an hour later, when they appeared before the Commons social security select committee.

The right to silence is regarded by lawyers and the public generally as "dating back to the Magna Carta, if not to Noah's flood", according to *Jackson's Machinery of Justice*. But the principle is comparatively modern, and was only established in this century.

In the 19th century, a defendant was not allowed to give evidence on his own behalf. The right of silence grew up to protect him in case he said anything to incriminate himself when he was arrested, but was unable ever to put it right. In 1896, the Criminal Evidence Act provided for the first time the defendant with a statutory right to give evidence on his own behalf.

Brian Barker, QC, of the Criminal Bar Association, said yesterday, "The right to silence is a fundamental right of defendants, but in recent years it has faced erosion by legislation such as the Companies Act 1985 and the Criminal Justice Act 1987, which empower investigators to compel people to answer questions in connection with fraud enquiries."

Yesterday, Mr Carman told MPs that the right of the Maxwells not to incriminate themselves overrode any other interests in what had happened to the missing pension funds. Earlier, Gavin Lightman, QC, had argued in the Court of Appeal, that Kevin Maxwell was not required to provide information to comply with a court order under the Insolvency Act: the appeal will turn on whether the act has removed his right to remain silent in the face of that court order.

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On Friday Mr Freeman said a privatised British Rail might provide a cheaper class of service for typists and a "more luxurious service" for civil servants and businessmen. Typists across the country took down his words in shorthand and threw them back at him.

He promised to apologise to all secretaries with whom he came into contact yesterday. To show just how contrite he felt, Mr Freeman even travelled to work on London Underground's Circle Line, which gives British Rail a pretty close run as far as delays and cancellations go.

One box went to his parliamentary secretary in Westminster, delivered personally. The second went to his diary secretary, Carol Farr, who works with him at the Department of Transport's headquarters in London. The third went to the DfT's typing pool. "I regret the remark I made singling out secretaries and apologise for it," Mr Freeman said. "Now get me some coffee and biscuits, for goodness sake."

Minister shows his soft centre

BY JOE JOSEPH

ROGER FREEMAN, the transport minister, arrived at work yesterday armed with chocolates for his secretaries, not because the ladies love Milk Tray, but because they were miffed by his suggestion that typists should make do with "cheap and cheerful" train travel.

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Soccer star on currency charge

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Bank joins battle to buy the Mirror

BY MELINDA WITSTOCK, MEDIA CORRESPONDENT

PLANS for a management buyout of Mirror Group Newspapers "remain on course" despite some City jitters after the weekend exit from the bidding by Pearson publisher of the *Financial Times*.

But the buyout team, led by Richard Stott, editor of the *Daily Mirror*, could face new competition. Hambros, the merchant bank, has confirmed that it is putting together a consortium of City institutions and media companies to buy the Maxwell family's 51 per cent stake in MGN.

Electra, the venture capital firm which is organising Mr Stott's management buyout, has not yet approached any other potential investors to join it. Electra said last night that it would not itself invest more than £49 million, leaving hundreds of millions more to be raised.

Before Pearson dropped out, MGN was thought to be worth about £450 million. However, news that liabilities are as high as £840 million and might reach £1 billion, could push

the asking price down. City sources said potential investors in the buyout were worried not only about MGN's liabilities but also that the amount of borrowing needed to finance the buyout would affect the group's future profits.

Paul Whitney, chief executive of CIN Management Ltd which handles the pension funds of British Coal employees, said he would be interested in participating in the buyout only if the commercial outlook was favourable. Many venture capital companies will want assurances that they can sell their stakes four or five years down the road at considerable profit.

John Sharkey, special advisor to the buyout team, said, however, that Electra had received several informal expressions of interest.

"It is only sensible to approach people when we have sensible numbers in front of us," he said. New information is expected when the MGN accounts are published in early March. "We're proceeding on course," he said.

The 17th century tankards were owned by the Lords Brownlow at Belton, Norfolk, until the family sold them 19 years ago. Now they are the highlights in a £14 million collection of European silver, Old Master paintings and French furniture being offered by Jaime Ortiz-Palino.

Steel pledge

Union leaders representing the 500 workers at the Dalzell steel plate mill said last night that they were prepared to fight to the end to save their own plant in the wake of the sudden closure by British Steel of the nearby Ravenscraig complex. They fear their jobs could be the next to go as British Steel continues to concentrate steel production in Wales and on Teesside.

Mann rallies

Jack Mann, the British former hostage in Beirut, was "poorly but safe" last night at a British military hospital in Cyprus where he is suffering from pneumonia. His wife, Sumire, was at his side. Mr Mann had "slightly improved" since Sunday when he was taken by helicopter from his home in Nicosia to the Princess Mary hospital at Akrotiri 60 miles away, a British bases spokesman said.

Palace alert

The Changing of the Guard was postponed for more than four hours yesterday after an alert about a possible IRA attack. Police closed and searched the area around the Mall and Buckingham Palace after being informed of a suspect package. They found nothing. The guard was changed without music or ceremony at about 4pm. No members of the royal family were at the palace.

Firm allowed casual staff to use false names in dole fraud

By MICHAEL HORNSELL

THREE men were found guilty yesterday of taking part in a "silly names" dole fraud involving Queen Elizabeth of Buck House, James Bond, Andy Pandy and Count Dracula.

Southwark crown court, south London, was told how the false names were used on pay sheets for casual workers so that they could earn cash in hand by working incognito for magazine distribution companies while still claiming unemployment pay. The court was told that some of the casual workers, who received the backing of their employers, would even be dropped off at social security offices in company vans.

The case was the 46th successful prosecution in the past year against employers colluding in unemployment benefit fraud, although there have been 3,450 prosecutions against individuals over the same period. More than £43 million has been saved from these cases and from

335,000 investigations by employment tribunals which resulted in the withdrawal of 65,000 benefit claims.

An employment department spokesman said after the case: "The vast majority of claims are honest and genuine, but there are a significant number of people drawing unemployment benefit while continuing to work. Employment inspectors are becoming increasingly effective in investigating cases involving employers who deliberately collude with employees to defraud the benefit system."

The court was told that people seeking work with "no questions asked" would queue each morning for the delivery van to collect them from pick-up points in East's Court. Workers would be taken to affluent areas of London to deliver glossy magazines and advertising pamphlets through letter boxes.

The workers would be paid £20 each at the end of a delivery session. The only requirement made of them was that they fill in a pay sheet to act as a receipt of their wages.

Most workers were also claiming dole money and therefore did not want to use their own names, the court was told.

The investigation was launched when people claiming to be unemployed were noticed being dropped off at dole offices in two Ford transit vans bearing similar registration numbers. Mr Lewis said: "So widespread was the fraud that drivers and runners would be taken to the unemployment benefit office to sign on." Inspectors demanded to see company pay sheets and it was then that the names were uncovered.

The jury was discharged by the judge from giving verdicts on eight other counts after failing to agree.

Mother's murder 'was preventable'

THE savage and motiveless killing of a mother in front of her two young children by a man with a long history of mental illness was foreseeable and preventable, an Old Bailey judge said yesterday.

Judge Langhland QC, said that he would send the papers on the case to the home secretary and the health minister so they could consider whether the law and resources were adequate to prevent a repetition of the tragedy.

Grace Quigley was killed at her home in Stamford Hill, north London, by Kevin Rooney, aged 28, who had discharged himself from hospital two days before the attack last May.

Timothy Langdale, for the prosecution, said: "The five defendants were five amongst many. But these five defendants were seen, were recognised and in many ways played a prominent part in what was going on." The court was told that a crowd threw bricks and bottles at the shop, owned by Abdul Waheed.

Lee Newbury, 23; Anthony Beadle, 22; Paul Gonzales, 24; Martin Thomas, 19; and Wayne Murphy, 17, who all denied the charges, were remanded in custody for social inquiry reports before being sentenced. Newbury was also found guilty of assaulting a policeman.

Oaks struck by mystery killer

By CRAIG SETON

AN INCREASE in deaths of oak trees in the South and Midlands is being investigated by the Forestry Commission.

A mystery condition, known as dieback, is killing trees between 40 and 200 years old. The commission has been unable to find a common cause for the attack on the oak, which is one of Britain's most common broadleaved species.

The majority of cases have been found in Nottinghamshire, Northamptonshire, Lincolnshire and Leicestershire but oaks have been affected in Devon, Kent, Gloucestershire and as far north as Cheshire.

Brian Greig, a member of the Forestry Commission's pathology branch at Farnham, Surrey, said that hundreds rather than thousands of oaks were suffering from dieback, which causes trees to lose their foliage and branches, but the condition was causing concern.

"The English oak is part of the national heritage and that is why we are taking it very seriously. We do not want people to be alarmed into thinking it is going the same way as Dutch elm disease, but we are investigating an unknown situation."

Mr Greig said that the condition could not be described as a disease as no bacteria, virus or fungus had

been detected. There are theories that a number of complex factors, including climate and soil conditions and water stress caused by drought could have weakened trees and made them more prone to secondary organisms. Insects could also be responsible.

Afflicted trees generally decline and die over two or three years. Their foliage becomes pale and sparse and there is a gradual dieback of fine twigs, spreading to larger branches, giving oaks a skeletal appearance.

Members of the County Landowners' Association have been asked to report signs of dieback to the commission, whose researchers are monitoring the condition of trees found to be suffering at a number of sites.

Mr Greig said that one of the areas worst affected was in a country park area of Sherwood Forest, Nottinghamshire, where more than 100 trees were affected. The Wyre Forest, west of the Birmingham, was also seriously affected.

A study of growth patterns of affected trees suggests that the condition could have started in about 1985 or 1986. Mr Greig said: "It may be a unique combination of factors that occurred in the mid-1980s and is working its way through."

MORE than five million people in full-time employment earn less than the Low Pay Unit threshold, according to an analysis of government statistics published today.

The unit found that 9.18 million people, including part-time employees, last year earned less than the threshold, which is set at two-thirds of the average (median) male earnings — £185.00 a week or £4.92 an hour on the basis of a 37.6 hour working week.

The numbers are lower than in the previous year when 9.65 million earned less than the threshold, although the unit says that a quarter of that reduction is due to the fall in the number of people working. Women made up 68 per cent of those below the threshold, and those working full time earned on average about 70 per cent of men's pay.

Although there has been steady improvement from 1979, when women's pay was about 63.6 per cent of men's pay, the unit reckons that at the present rate it will be 55 years before equal pay is achieved. Much of the discrepancy is caused by unequal access to staff and bonus payments, occupational segregation and pure discrimination, the report says.

Using the Council of Europe's decency threshold as another definition of low pay,



Schools of music: John Lennon, left, and Duke Ellington, could be joining Bach and Beethoven

Schools may soon teach jazz and pop

LENNON and McCartney, Fats Waller and Duke Ellington as recommended composers in compulsory national curriculum music lessons under proposals made by the government's advisers yesterday.

David Pascall, chairman of the National Curriculum Council, said that he accepted the dangers of publishing lists of composers and artists alongside legally required lessons, but felt that different schools of music and art should be recognised as essential learning, which should lay emphasis on British and Western culture.

The examples were given only as guidance to teachers and did not rule out lessons in ethnic music, such as African drumming, which were recommended by the music working party. The changes in music proposals were matched by those in compulsory art, which also emphasised the Western tradition.

Two days later, after drinking at a pub and wearing an Arab headdress, he let himself into Mrs Quigley's flat. She took her daughters, aged five and six, to a neighbour's home but Rooney, brandishing a knife, followed them. As the children and neighbours watched, he stabbed Mrs Quigley more than 20 times.

The court accepted Rooney's plea of not guilty to murder and admission of manslaughter. The judge ordered that Rooney, of Hackney, east London, be detained at Rampton hospital indefinitely.

became a Jehovah's Witness. He was arrested on May 3 after threatening another woman and was treated in hospital for schizophrenia. But he discharged himself without telling anyone on May 9.

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Details of the proposals include:

Music: the working group's three attainment targets of performing, composing and appraising have been reduced to two: performing and composing, knowledge and understanding. Teachers would decide the time given to each requirement.

Throughout their school career pupils would be expected to work individually or in groups, use computers to create and record music, study European classical music from its earliest roots to the present day, and learn about music from the coun-

tries and regions of Britain and a variety of Western and non-Western cultures.

The composers suggested for study include Lennon and McCartney, Fats Waller and Duke Ellington, Bach, Beethoven, Schubert, Stravinsky, Britten and Tippett.

Art: the three original areas of study, understanding, making and investigating, have been cut to two: investigating and making, and knowledge and understanding.

All pupils should undertake a balanced programme of art, craft and design, work individually or in groups, use

computers were possible and work in two or three dimensions. Recommended artists include L.S. Lowry, Leonardo da Vinci, Rousseau, Stubbs and Elizabeth Frink.

Physical education: Children should be able to swim by the time they are 11 and take part in five other activities: athletics, dance, games, gymnastics and outdoor and adventurous activities. Swimming would be dropped as a separate subject at 11. On entering secondary school, four of the five activities should be chosen, and at 14, any two. Games would be compulsory up to 14.

Earnings analysis

Five million are underpaid

By LIN JENKINS

WOMEN'S EARNINGS AS PERCENTAGE OF MEN'S

Year	Percentage (%)
79	55.0
81	56.0
83	57.0
85	58.0
87	59.0
89	60.0
91	61.0
93	62.0
95	63.0
97	64.0
99	65.0
01	66.0
03	67.0
05	68.0

The report also says that the number of employees earning below the decency threshold has risen by 28.5 per cent since 1979 to more than 10 million, about 46 per cent of all employees.

Chris Pond, director of the Low Pay Unit, said the most significant finding was that wage inflation was not evident among those most subject to wage controls, but among those at the top of the scale.

The gap between the 10 per cent lowest paid and the 10 per cent highest paid is increasing, with the differentials being larger now than at any time in the last century.

The analysis was carried out on figures published in the employment department's *New Earnings Survey 1991*, which are based on a 1 per cent sample of those in employment. The figures do not include the self-employed.

The unit found that 10.02 million people, of whom 5.72 million were working full time and 4.45 million were women, were paid below the threshold. The council's definition is 68 per cent of average (mean) earnings of both men and women.

Including overtime % Excluding overtime %

	Including overtime %	Excluding overtime %
Women: all manual	44.7	47.5
Part-time manual	74.8	80.5
Men: all manual	37.8	40.0
Part-time manual	17.4	24.0
Non-manual manual	24.5	36.4
Non-manual	11.3	13.3
All full-timers	27.1	32.4
Part-timers	-	78.1
Women	-	68.5
Men	-	74.7
All part-timers	-	43.2

*According to the Low Pay Unit's low pay threshold of under £165 a week, or £4.92 per hour, in 1991/2. Source: Low Pay Unit estimates based on New Earnings Survey 1991

Football disaster charge dropped

By STEWART TENDER
CRIME CORRESPONDENT

NO DISCIPLINARY or criminal charges will be brought against any of the South Yorkshire policemen involved in the 1989 Hillsborough football disaster. The Police Complaints Authority said yesterday that the last outstanding discipline charge had been dropped.

Superintendent Bernard Murray, of South Yorkshire police, faced a charge of neglect of duty as a result of the disaster, at the FA Cup semi-final between Liverpool and Nottingham Forest on April 15. Ninety-five people died after police allowed thousands of fans gathering before the kick-off to pour into the ground at Sheffield.

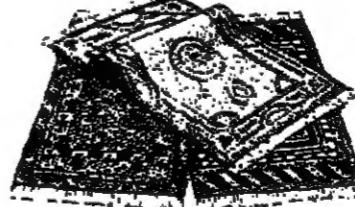
Originally Mr Murray, second in command in the control room, faced the discipline charge with Chief Superintendent David Duckenfield, who was in charge at the ground.

The authority said yesterday that the situation had changed since Mr Duckenfield was allowed to retire on grounds of ill health last November. It said it had withdrawn the charge against Mr Murray because "it would be unjust and inappropriate to pursue the charge against the superintendent alone in the absence of his superior officer".

Trevor Hicks, chairman of Hillsborough Family Support Group and father of two teenage daughters who died in the disaster, said: "The final result of everything is that no police officer has lost a day's pay and Mr Duckenfield has gone off with a £25,000-a-year pension. It's all a farce."

Richard Wells, Chief Constable of South Yorkshire, said that he had never been convinced that a disciplinary tribunal was appropriate and he was relieved the force's argument about natural justice had been accepted by the authority.

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Labour to derail privatisation plan

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

LABOUR will tell British Rail today that if there is a change of government it would be expected to abandon work on privatising any part of the system.

In an unusual move, the Labour party is writing to Sir Bob Reid, the BR chairman, setting out the policy objectives a Labour government would expect him to follow. It will also list a series of allegedly threatened services that Labour would insist BR should continue to run, and name some services withdrawn from the latest timetable that should be reinstated.

John Prescott, the shadow transport secretary, has decided to act in the wake of a spate of reports suggesting disagreement within the cabinet over the rival options for putting BR into the private sector. There is growing ex-

pectation among MPs that the final plan will involve the outright sale of InterCity with its own track, an option Labour will portray as fulfilling the government's long-held desire to strip the railways down to a profitable core.

Labour will make plain that while it would immediately start talks with BR about finan-

cies, there are certain priorities that it would expect the management to adhere to from the first day of a Labour government. These would include abandoning any privatisation work already started and scrapping work on the studies being conducted in preparation for privatisation.

Interviewed on BBC Radio 4's *Today* programme, Mr Rifkind said he wanted to see thorough consideration given to the complex plans, adding that ten blue chip companies wanted to offer passenger and freight services for the public and industry. "We are involved in a very major set of proposals that are going to revolutionise our railways," he said.

The government was looking at the various options on passenger services for inclusion in the white paper. "There are no divisions in the cabinet. What is happening is that cabinet government is working properly," Mr Rifkind said.

Mr Prescott said the government should drop its privatisation plans and get on with making the railways work by freeing BR's financial restraints. "It is just a complete mess. They don't know what direction they are going in," he said. "People don't care a damn who owns British Rail, they just want a clean, efficient, reliable system of good quality."

Mr Freeman, the public transport minister, again apologised yesterday for suggesting that a privatised British Rail would lay on cheap and cheerful trains for tourists. During Commons exchanges in which he was taunted over his words on television, he told MPs that he had spoken "very injudiciously" while trying to illustrate a simple point.

It is clearly an area on which the Liberal Democrats and Labour could find speedy agreement in any post-election talks. Some Tory MPs believe the government will be anxious not to close the door completely for that reason.

Information which could be revealed if the bill became law would include results of tests showing the effectiveness of brakes and exhaust pollution controls, results of safety tests on medicines and the findings of fire inspections at rail stations.

Maurice Frankel, the campaign director, said: "The home secretary, Attorney-general and Chancellor are the cabinet ministers most closely responsible for any decision on freedom of information legislation. The current ministers all previously declared their support for such legislation. Now they are in a position to do so, we are entitled to ask them to act on their principles and support the bill."

Kirkwood: seeking new law on information killed off after Margaret Thatcher, then prime minister, ordered an unprecedented whipping campaign against it.

Time constraints mean that Mr Kirkwood's bill has no chance of reaching the statute books, but MPs will be watching closely for any softening in the government's attitude. There is support for a bill among Tory MPs and ministers. Mr Kirkwood's bill would create a public right of access to records of government departments and public authorities. Information harmful to interests such as defence, law enforcement or privacy would not be disclosed.

The information campaign named Kenneth Baker, the

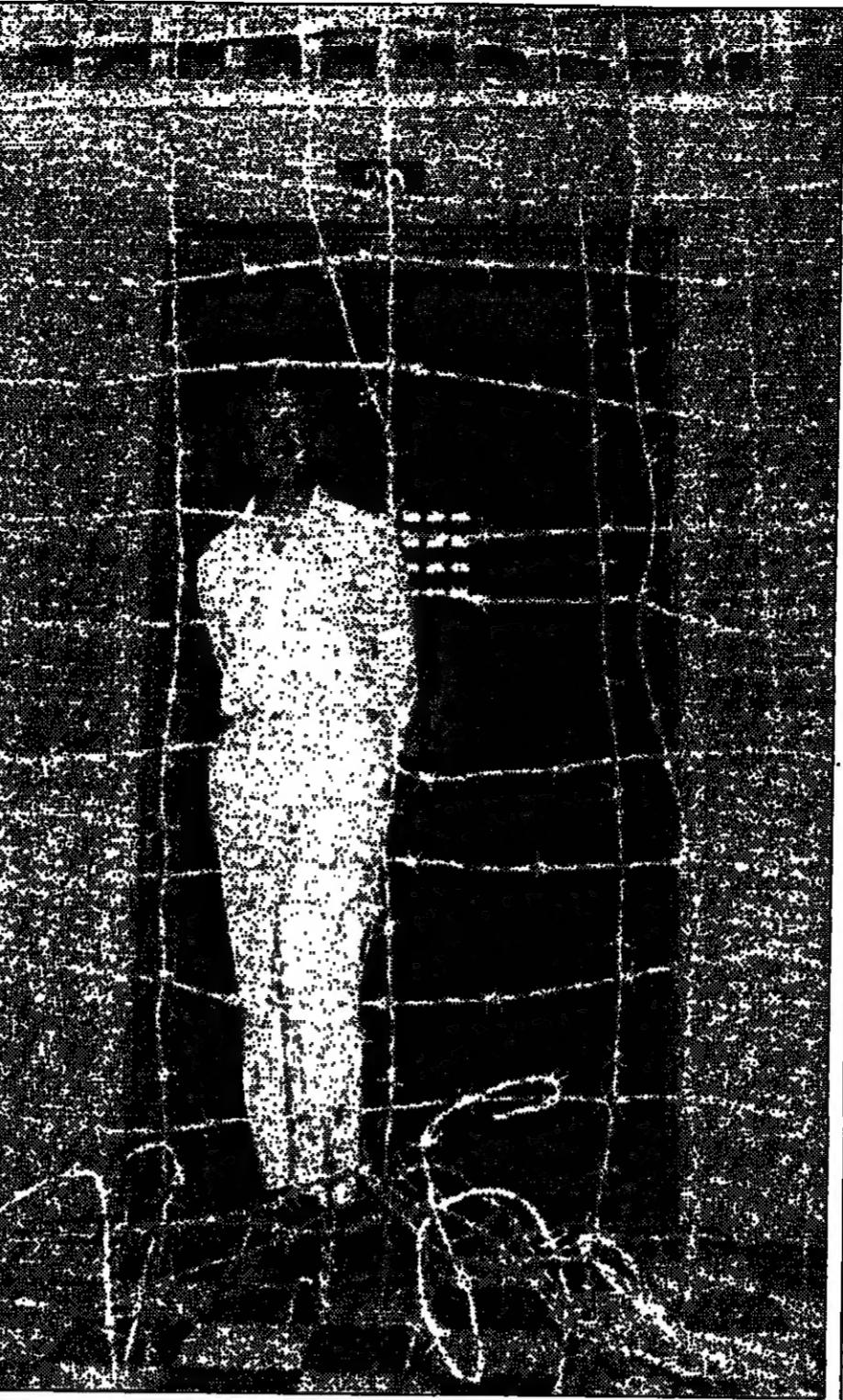
home secretary, Sir Patrick Mayhew, the Attorney-general, Malcolm Rifkind, the transport secretary, and Archie Hamilton, the armed forces minister, as having once supported the principles of their campaign. Mr Baker, it said, was one of seven MPs who sponsored a bill similar to Mr Kirkwood's in 1979. It quoted Sir Patrick as saying in 1979 that he hoped a public right of access to official information would prove practicable. Mr Lamont, it said, was once vice-chairman of a body called the all-party parliamentary committee for freedom of information.

Mr Shepherd said yesterday that he thought there was a majority of Conservative MPs who would support freedom of information legislation. The Labour leadership has given a commitment to introduce freedom of information legislation early in a new parliament.

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Pact may threaten peace in Ulster

By SHEILA GUNN
POLITICAL CORRESPONDENT

TALKS between Conservative leaders and Ulster Unionist MPs about a possible post-electoral pact could destroy any prospect of fresh peace talks, the Liberal Democrats' spokesman on Northern Ireland, Lord Holme of Cheltenham, said yesterday.

As Peter Brooke, the Northern Ireland secretary, attempts to revive talks on the future of the province, Lord Holme appealed to him not to lend his authority to any "seedy manoeuvring" by Conservative Central Office about concessions to the Unionists in the event of a hung Parliament. "It will be a disaster of the first magnitude if party politics by the Tories derail the peace process in Northern Ireland," he said.

If the nine Unionist MPs calculated that they could get their own way better by a backdoor deal with a panic-stricken Tory machine, peace talks would not resume and the daily chronicle of savagery and bloodshed would continue, Lord Holme said. "The government really must decide whether it speaks for Britain or its own short-term electoral interest." He commanded the Liberal Democrats to play no part in any arrangement by the incoming government which could prejudice the peace process.

Terry Davis (Labour, Birmingham, Hodge Hill) said it was five years since the loss of the Herald of Free Enterprise but would be another seven before everyone would cross the Channel as safely as possible.

MPs to play by the book

New MPs are to be given a handbook giving guidance on such topics as the work and responsibilities of departments of the House of Commons and the general services at members' disposal. John MacGregor, leader of the House, said in a written reply.

Arms pledge

The government is considering whether it can help the former republics of the Soviet Union with money and technological aid to dispose of nuclear weapons, Lord Cavendish of Furness, a government spokesman, said in the Lords.

Warm words

Under the improved arrangements for cold-weather payments in November, 1,424,671 people have received payments so far this winter, Nicholas Scott, social security minister, said in a written reply.

Training aid

Virginia Bottomley, the health minister, announced spending of £90 million to help train nurses yesterday. She said in the Commons that the money would go to the training system Project 2000.

Parliament today

Commons (2.30): Questions; Employment; prime minister. Debate on nuclear defence. Lords (2.30): Further and higher education bill, report, first day.

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Scientists make a meal out of the good life

FOR those who enjoy the sight of health experts squabbling over what is good or bad for you, 1992 already looks set to be an entertaining year.

Expert approval was given in 1991 to some much maligned pleasures, including wine, animal fats, eggs, milk and cheese, and smoking. This might have added to public confusion, but it also delighted those who had become tired of being endlessly lectured at and about the breakfast table.

Already this year a distinguished professor of clinical biochemistry has written ironically in the Federation of Bakers' bulletin of the benefits of white bread. That for wholemeal lovers, is the rather bland stuff like damp, cotton

To the delight of cynics, experts keep arguing over what is healthy. Nick Nuttall reports

wool which makes excellent toast. Vincent Marks, professor of clinical biochemistry at Surrey university, says that it could be particularly healthy for young, fussy eaters.

Brown bread, which is full of fibre, may be prized by health advisers and the elderly, whose bodily functions require assistance. For children, however, brown bread's bulk can mean that it fills them up before they have eaten enough calories.

Professor Marks' comments have, predictably, butted few parsings among the healthwatchers. Nevertheless the wrangle highlights a trend last year towards questioning the received wisdom on healthy living.

Several scientific reports linked habitual moderate drinking with a reduction in the risk of heart disease. One, from New Zealand, found that people who took as many as eight drinks a day had 40 per cent less chance of heart disease. An American team found that red wine appeared to cut levels in the blood of a cholesterol linked with hardening of the arteries.

A Medical Research Council-financed study in Wales linked a diet rich in milk with a drop in the risk of heart disease, while a Finnish study indicated that men on low fat diets and healthy life-styles were more likely to die sooner than men who stuck to the bad old ways.

There was also an American man aged 88 who, despite eating up to 30 soft-boiled eggs a day for at least 30 years, had remarkably low cholesterol levels. And Dutch scientists said the nicotine in cigarettes might help to keep Alzheimer's disease at bay.

So should we ignore everything experts say about health and diet? Probably not. What is clear is that everyone is different and that some well-publicised pieces of research can highlight this.

Eventually genetic research will allow health advisers to tailor their advice much more finely. This research should explain why the 30 eggs-a-day man seems immune to a high cholesterol diet.

Until then, it would seem wise to heed the main body of generalised research that links such items as cigarette smoking with a greater risk of lung cancer and high animal fat diets with a higher risk of heart disease.

But that advice should not be delivered as though it is an absolute truth, but tempered with good sense. If some parents are shoving too many health foods down their children's throats at the expense of enough calories, then a little "unhealthy" white bread will do more good than harm.

Two pay the price of pleasure

Peking: Two men who stole money and gold from temples in southern China and spent the proceeds on gambling and wild nights in brothels have been executed, an official newspaper said.

Li Zhenjin and Zhou Tugui were killed on December 24 after a mass sentencing rally in Shandong, the *Nanfang* daily reported. The two had preyed on monks and nuns, stealing 5,400 yuan (£500), HK\$38,000 (£500) and gold ornaments.

Executions are usually carried out with a bullet to the back of the head. (Reuters)

Cab warfare

Paris: The capital's notoriously hard-to-find taxis will make themselves even scarcer today when drivers stage a 24-hour strike outside the finance ministry, the highest fares. (Reuters)

Statue stolen

A rare statue worth £20,000 has been stolen from a fountain at Wilton House, the Earl of Pembroke's Wiltshire home, after thieves broke the bronze of a woman with long hair from its plinth.

Surf's up

Brisbane: Big seas washed away large chunks of Queensland's tourist beaches as warnings were cancelled over Cyclone Betsy, which has weakened to a severe tropical depression and moved further out to sea. (AFP)

Fighting flab

Singapore: Singapore has launched a battle against the bulge, from toddlers to national servicemen. The government concerned that a more people are becoming obese at a very young age and has launched anti-flab campaigns. (AFP)

Black Rod bows out

Air Chief Marshal Sir John Gingell, who summons MPs to the Queen's Speech at the state opening of Parliament, retired last night after seven years as Gentleman Usher of the Black Rod. He is succeeded by Admiral Sir Richard Thomas, former Deputy Supreme Allied Commander in the Atlantic. Lord Waddington, leader of the Lords, told peers he was responsible for "many mundane but crucial affairs, including dusting and vacuuming of the House".



Warren Beatty, Nick Nolte and Anthony Hopkins are even-money favourites for best actor at the Academy Awards on March 30. Beatty's picture, *Bugsy*, tied with Oliver Stone's *JFK* as evens favourite for best picture, and Jodie Foster, Hopkins' co-star in *The Silence of the Lambs*, as evens favourite for best actress, ahead of Laura Dern (*Rambling Rose*) at 6-5.

Suz Seddon, the former champion sidesaddle rider from Borrowby, near Thirsk in North Yorkshire, is back in action after breaking both collar bones, a vertebra, ribs and her jaw. Yesterday she was out practising on Fred, the five-year-old gelding, hoping to regain the title lost at the Nottingham two-day event in 1990. "Fred and I are determined to win it back this year," she said.



Cutting a dash: the Sandringham gamekeepers at Crufts with the Duke of Wellington, centre, the Kennel Club's vice-president. From left, Simon Owen, Adam Sherston, Glynn Evans and Derek Paton

Keepers trigger a return to style

BY ALAN HAMILTON

NEVER mind the dogs. There should have been a trophy at Crufts at the weekend for two-legged turnout, and it would have been won hands down by a team of the Queen's gamekeepers from Sandringham who paraded the royal gundogs.

The 28 royal keepers at Sandringham and Balmoral wear the traditional outfit of Burleigh tweed hat, tweed jacket, waistcoat, plus-fours and brogues. What distinguishes them is the Balmoral tweed, exclusively woven for and worn by the royal family and their estate staff.

Every shooting day, and on special occasions, the keepers turn out immaculately dressed in the blue-lavender tweed. Their trousers are tucked into fawn socks above highly-polished brown brogues. The cloth is supplied by the London woolen merchants John G. Hardy, and is made up by several tailors who hold the royal warrant for field wear.

The hard-pressed Scottish woolen industry is hoping that the weekend television appearance of the royal keepers, who are rarely exposed to such a wide audience, will encourage a

return to the old custom of knitting out estate staff in a distinctive local check.

Today's Balmoral tweed,

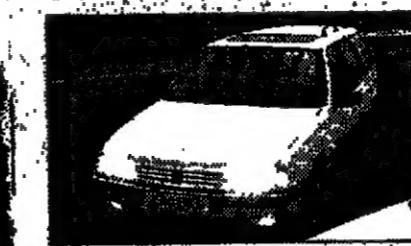
an exceptionally sturdy 24oz material, was designed in 1937 by King George VI to reflect the colours of the countryside. According to Julie Scott-Barrett, marketing director of the Scottish woolen industry's trade association, some large estates still employ their own exclusive design and guard it jealously. "Eighteen months ago one Scottish mill making an old check design for the commercial fashion industry was asked to stop by the family who originally owned it. The patterns are more exclusive than tartan, which anyone is entitled to wear."

Gamekeepers are as fashion-conscious as anyone.

Colin Blanchard, of the British Association for Shooting and Conservation, said yesterday: "They are proud of their uniform; they will wear it at a game fair even on a sweltering July day."

Country clothes have been taken up by townies, and are now widely regarded as high fashion. Even Neil Kinnock has a Barbour.

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Just in time

A year after the Gulf war began, The Times this week assesses the repercussions. Today: the human cost

Hundreds still suffer from stress

BY MICHAEL EVANS, DEFENCE CORRESPONDENT

A YEAR after the allied offensive began to oust Iraqi forces from Kuwait, stress and trauma are still affecting the lives of hundreds of the 43,000 British servicemen and women who took part. But training and the presence for the first time on the battlefield of psychiatric teams providing instant treatment for soldiers suffering combat stress and shock helped to limit the number.

The Ministry of Defence is aware that the clinical condition of post-traumatic stress disorder can materialise months, if not years, after a war. However, a year after the Gulf war the number of diagnosed cases is believed to be small compared to the size of the British military presence. In July, the ministry said there were 80 soldiers receiving treatment for stress. But hundreds are known to have suffered some form of treatable stress, victims of post-traumatic stress syndrome, in the past 12 months.

The Soldiers', Sailors' and Airmen's Families Association has had to deal with a 50 per cent increase in the number of service men needing counselling. "Provided it is spotted early on, those suffering from the stress syndrome can be helped fairly easily but anyone with post-traumatic stress disorder we pass on to psychiatrists," a spokesman said.

Barry Lloyd, who helped to form the nationwide Gulf Families Crisis Line last April, said yesterday he believed that the anniversary would trigger nightmare memories for many. He expected the number of stress cases to multiply.

So far, about 2,500 calls have been made to the help centre in Withington, Gloucestershire, and 650 families have received counselling. The most persistent

symptoms of stress, according to Mr Lloyd, have been emotionalism, marital breakdowns, depression, aggression and alcohol abuse. There were three known cases of suicide.

Mr Lloyd, aged 43, who had a son and an uncle fighting, claimed that many servicemen and their families came to seek his centre's help because they did not want to admit to suffering stress to their units. "The problem is much greater than the defence ministry seems to think."

However, the ministry said that during and after the war commanders were fully aware of the risks of stress, and immediate steps were taken to deal with known cases. A ministry spokesman said it was sometimes difficult to gauge "whether a problem involving a Gulf veteran was definitely related to his experiences in the war".

Stas Labuc, a combat stress expert who worked for 14 years for the defence ministry assessing soldiers for hazardous duties, said: "The great fear for the servicemen in the Gulf was the unknown. They didn't know what Saddam [president of Iraq] was going to throw at them. But they were highly trained and well supported back home, so their morale was high and that was crucial."

For the RAF pilots and navigators who became prisoners of war and suffered torture, the anniversary will be a grim reminder. Flight Lieutenant David Waddington described his experience: "Sometimes they'd beat me to the stage where I'd go unconscious. Then I'd come round and they'd ask me another question and beat me up again. blows to the head, the back and legs."



Human wave: about 30,000 Iraqis fled to Jordan last year and most are unable to get visas to travel elsewhere or return home

Tel Aviv suburb plasters over scars

FROM RICHARD BRESTON IN RAMAT GAN

HARD as it is to imagine driving through the bustling streets of Ramat Gan, fear and chaos reigned a year ago in this middle-class Tel Aviv suburb.

Last January one of the first Iraqi Scud missiles of the Gulf war crashed into the district, ironically inhabited mainly by Iraqi Jews of Kurdish Jewish origin before the fighting was over, one man had been killed and another 135 injured in one of the most severely hit areas of the country.

Today, however, there are few physical scars left from the bombardment and no plans to commemorate the anniversary of the Gulf war. Apart from survivors of the Scud attacks, most of Ramat Gan's residents, like Israelis

throughout the country, have as though the events of last January and February never happened.

"I was with the two other widows of the building preparing supper, when the air raid siren went off," Yona Pupko, aged 74, said. "I just had time to put on my gas mask when the bomb exploded. All I remember was the sound of water from the burst pipes and the total darkness. I thought everyone had been killed until I called out for Regina [a neighbour], and she answered me."

In fact, Mrs Pupko, her neighbours and a pet dog were pulled out safely from the wreckage by Israeli troops within minutes of the

January 22 attack. Despite the two scars left on her back by flying debris, Mrs Pupko counts herself lucky to be among those who are still alive and does not regret her decision to remain at home for the fifth Arab-Israeli conflict she has experienced since arriving from Poland in 1936.

Her apartment, like scores of others in the neighbourhood, bears the signs of recent building work and of being freshly painted white, the results of the generous repair and reconstruction campaign which has physically erased the memory of the war throughout the district, apart from one wall on a building site which still bears the marks of Iraqi shrapnel.

More than any other dis-

trict, Ramat Gan prides itself on the rapid repair and reconstruction work under the command of Eli Sperling, a retired army colonel, who has spent an estimated £20 million on building 55 new apartments to replace those damaged beyond repair and on repairing 4,300 others.

"I sometimes feel we did too good a job," he explained, lamenting the endless phone calls from people jealous of the generous repair work done for their neighbours, or who in a few cases were caught damaging their own property in order to make fraudulent claims for Scud damage.

"Our aim is not only to repair but actually improve the properties, so when people come home they will

not be confronted with the terrible memories of the war but realise that someone cares about them," he said.

Like most Israelis, he is intent on plastering over what is today regarded throughout the country as a two-week nightmare at the start of 1991, when for the first time in history Israel was attacked but did not respond.

"It is quite amazing how quickly the entire issue has been buried," said Miri Zoller, a high-school teacher aged 30. "I do not discuss it with my husband, my friends or my 16-year-old students. People behave as though it never happened. I think we want to forget about it, because it was the first time that we sat at home and did nothing."

Islamic militants wait for orders from jail

FROM JOHN PHILLIPS IN ALGIERS

ON THE bustling streets of Kouba, one of the main fiefdoms of the Islamic Salvation Front in Algiers, Muslim fundamentalist militants yesterday patiently awaited orders on how to foil the authorities' disguised coup, insisting their instructions would come directly from the movement's jailed hardline leaders.

"If circumstances dictate it, we will go underground to continue the struggle clandestinely," said Hocine at his battered shop, a hole in the wall that specialises in selling both children's toys and Islamic tracts. "This is a coup d'état in disguise" the bearded shopkeeper said, between

visits from veiled mothers buying crossword puzzles and colouring books.

"I don't see democracy at work. What happens now depends on our leaders in prison in Blida, Ali Belhadj and Sheikh Abassi Madani. If they ask us to take to the streets and demonstrate against the army we will do so," added Hocine's assistant, Lyes. "As sympathisers of the FIS, we take orders only from them." Sheikh Madani and Mr Belhadj were arrested and incarcerated at the town of Blida after riots in Algiers last June that left 59 people dead, following intervention by the army.

France fearful of refugee flood

FROM PHILIP JACOBSON IN PARIS

THE French political establishment was yesterday torn between the desire to see democracy establish a firmer hold in Algeria and the fear that an Islamic electoral triumph in its former colony would lead to a flood of refugees to France.

While the chief spokesman for the Quai de Orsay, Daniel Bertrand, maintained that officials remained "preoccupied" with the situation, and that France is eager to reaffirm its "solidarity" with the Algerian people, the government line seemed increasingly clear — Algeria must solve its own problems.

At about the same time, Philippe Marchand, the interior minister, said that, in the event of an exodus from Algeria by those fearing the establishment of a rigid Islamic state, France would not necessarily be willing to accept all refugees. "The law must take its course, and it is vital to maintain an equilibrium between respect for individual liberties and the tides of immigration," M. Marchand

said, noting that opponents of a regime are not automatically entitled to claim asylum.

For M. Marchand, who perhaps represents the harder face of French socialism in this respect, it might become necessary for would-be political refugees to prove that they had been persecuted or were at least in danger of suffering discrimination. In any case, he insisted, there was no reason to believe that France would be flooded with asylum-seekers: the government would be "extremely vigilant" about anything which could have "damaging repercussions in France as far as public order is concerned."

What happened in Algeria over the weekend could hardly have come as a complete surprise to the French authorities. There were persistent rumours last week — never satisfactorily confirmed — that a top-level delegation from the Algerian military had visited Paris to sound out possible reactions among high-level officials to some form of Algerian army coup.

At the nearby television station army soldiers with fixed bayonets in camouflaged battle dress were deployed.

Michael Binyon, page 12

Pakistan slips nuclear leash

BY BEN WHITAM SMITH

SENATOR Larry Pressler's announcement yesterday that the Bush administration believes Pakistan now has a usable nuclear device, marks the failure of congressional and presidential attempts to halt Pakistan's nuclear weapons programme. American aid and military assistance to Pakistan has been suspended since October 1990 under legislation introduced by Mr Pressler. The suspension came after President Bush refused to certify to Congress that Pakistan was not developing a nuclear bomb.

Robert Oakley, the American ambassador to Pakistan at the time, says Mr Bush's refusal came in the wake of the collapse of a secret bilateral accord reached in 1989, under which Pakistan agreed to limit its nuclear programme.

It is storekeepers like these, rather than the unemployed youths in the big cities, many of whom also voted for the front, who provide the fundamentalist machine with much of its funds. On display between Disney games are books and tracts with titles such as *Whose turn is it after Iraq? Islam faced with a new world order: The West's pretensions to dominate the planetary destiny, and A healthy concept of fasting*.

While their supporters quietly awaited word on how to react to the turbulent recent events, those leaders of the front still at large began taking steps to thwart a possible new government crackdown against them.

Western diplomats said the front had moved printing and communications equipment out of its city centre headquarters lest it be seized.

One diplomat said some arrests had been made among the front's activists but that could not immediately be confirmed. On the road out of Kouba, slogans had been freshly daubed on walls saying: "FIS is the only solution."

A short distance away, only a few visitors wandered around the huge, white Monument to the Martyrs whose centrepiece is a statue of a liberation soldier holding a torch of liberty in his left hand and a gun with fixed bayonet in his right.

At the nearby television station army soldiers with fixed bayonets in camouflaged battle dress were deployed.

The policy paper, *Crisis in*



Listening post: Pressler questioned by reporters in Islamabad on Pakistan's nuclear capability

The Gulf 1990, of which *The Times* has obtained a copy, advocates a policy directed at provoking a reaction against the deployment of Western forces in the Middle East, and concludes with a call for Pakistan to declare its nuclear bomb, saying: "Let us now lead the Muslim world as a nuclear-weapons state."

The paper comes close to identifying Pakistan's nuclear programme with the production of an "Islamic bomb." Stridently anti-American, it describes Mr Bush's talk of a new world order as the "new face of mercantile colonialism".

An American State Department analysis described *Crisis in the Gulf 1990* as a worrying reflection of the thinking among influential sections of Pakistan's establishment. That outlook, however, dismays Nawaz Sharif, Pakistan's prime minister. Acutely aware that his country's economy depends on loans from American-dominated agencies, he has fiercely resisted pressure to adopt the policy

paper's recommendations.

But he has not been able to resolve the bruising conflict with America over Pakistan's nuclear programme. He has little room for manoeuvre. The nuclear programme is very popular and many Pakistanis see it as a symbol of their nation's maturity. Some opposition elements believe any deal with America that forecloses Pakistan's nuclear option would offer them the opportunity to start street agitation against the government.

It is the military's attachment to the programme that most ties Mr Sharif's hands. According to Shirine Mazari, head of the department of strategic studies at Quaid-i-Azam University: "The faction within the army that espouses a tough stance against Washington has grown in strength since the suspension of aid. They are more convinced than ever that the US cannot be trusted, and that the nuclear option is the only guarantee of Pakistan's security."

These plans are outlined in a policy paper backed by General Aslam Beg, Pakistan's then chief of army staff, and circulated among the top leadership of the Pakistan army a month before the outbreak of hostilities.

The policy paper, *Crisis in*

Israel sees early end to impasse

BY MARTIN FLETCHER IN WASHINGTON AND OUR FOREIGN STAFF

DAVID Levy, the Israeli foreign minister, said yesterday there could be a breakthrough within hours in the impasse over Palestinian representation at the Middle East peace talks.

"The Palestinians have tried to change the game and the system," Mr Levy told a joint press conference in Lisbon with his Portuguese counterpart, Joao de Deus Pinheiro. Portugal currently holds the presidency of the European Community. Mr Levy added: "But for my part I am optimistic and think we may see a solution in the next few hours... I don't think we will get to Thursday without resolving the problem."

Negotiators at the talks, which resumed yesterday in Washington, have only three days to settle a dispute over the status of the joint Palestinian-Jordanian delegation. The Israelis say that they intend to leave Washington on Wednesday evening.

Arab negotiators say that the talks, inaugurated in Madrid last October, should be based on twin-track negotiations between Israel and Jordan and Israel and the Palestinians. But Israel is resisting Palestinian demands for rec-

ognition as a separate delegation when discussing Palestinian issues.

In a further indication of progress, the Israeli, Palestinian and Jordanian delegation chiefs summoned their full delegations to join them in Washington. First the heads of the Israeli and joint Palestinian-Jordanian delegations agreed to meet in a State Department conference room and not on the corridor sofa where they talked about talks for an entire week last month. After 75 minutes of discussion they then summoned their full teams to the department, though not straight into the conference room.

An Israeli source confirmed: "We are moving forward... we are close to reaching some kind of an agreement." The official said that the heads of the delegations were not discussing new proposals but were "mostly working nuances".

The Israeli delegation arrived in Washington last Monday, but the Arab delegations postponed their arrival until late last week to protest against the threatened Israeli deportation of 12 Palestinians from the occupied territories.

Iraqi ambassador asks for asylum

FROM REUTER IN THE HAGUE

THE Iraqi ambassador to The Netherlands is seeking asylum in the country, a Dutch foreign ministry spokeswoman said yesterday.

"The ambassador has asked whether he can stay in the Netherlands. At the moment he is here on a diplomatic visa," she said.

Safa Salih al-Falaki said he had resigned and had asked to stay here because of President Saddam Hussein's repression of the Iraqi people.

The people of Iraq... are under a very brutal dictator

ship," he said. "I think the president himself is responsible," he added.

Mr al-Falaki said he had told the Iraqi government of his resignation and had explained the reason. He said he wanted the international community to help the Iraqi people by any legal means to establish a democratic government in Iraq.

The foreign ministry spokesman said: "The Dutch government is giving it [the request to stay] positive consideration."

in cost
Exiles
lose
all
hope

Price shock opens rift in the ranks of Yeltsin allies

FROM MARY DEJEVSKY IN MOSCOW

THE economic disaster facing Russia's state trading sector has returned to the top of the political agenda here, threatening a damaging split in President Yeltsin's support and even his holding of the office.

Speaking to a group of visiting Italian senators yesterday, Ruslan Khasbulatov, the chairman of the Russian parliament, accused Mr Yeltsin's government of lack of foresight and professionalism, and suggested that it should resign or risk being in a state of permanent conflict with parliament. He later repeated his attack at a meeting of the parliament's presidium (standing committee) and told of nationwide gloom over the effects of recent price liberalisation.

Mr Khasbulatov, like Mr Yeltsin, has just returned from a visit to the provinces, which deputies and Muscovites described scathingly as their leaders' first fleeting brush with post-Soviet reality. Both men were said to be shocked, not only by the soaring effects on prices of liberalisation introduced on January 2, but by the continuing shortage of supplies in the shops.

The Russian parliament, in the person of Mr Khasbulatov, and the government, represented by Gennadiy Burbulis, the first deputy prime minister, and Yegor Gaidar, the deputy prime minister, have for a considerable time been potential opponents and rivals. All are Yeltsin appointees and regarded as his loyal allies, but they sometimes differ in what they believe to be good for Mr Yeltsin and for Russia.

On economic policy, the Burbulis-Gaidar axis stands for a painful rush to the market, recognising that there will be victims. Mr Khasbulatov, although also market-oriented, must keep half an eye on his parliamentary deputies and the handful they report from their constituencies. Yesterday the two sides appeared to be drawing apart. Mr Yeltsin, if he is to continue to introduce economic reforms by constitutional means, needs both his single-minded reformist government and parliament on his side.

Public confidence is also a factor. Although fewer than 10,000 people turned out in Moscow on Sunday for a rally organised against Mr Yeltsin and political reform by com-

munists trying to use the need in their own political interests, there were many in Moscow, and probably further afield, ready to believe the initial and quite wrong figure of 50,000, reported by Tass. State television, supposedly now under full Russian control, also misled its viewers. No aerial pictures were transmitted, only ground shots which exaggerated the size of the crowd.

This may have been merely a technical oversight. None the less, such coverage suits hardline lobbyists who, to encourage unrest elsewhere in the republic, would like to give the impression that Moscow is in constant turmoil. Well before price liberalisation came into effect, hardliners from the former Communist party and central administrative structures campaigned to foment street protests in the hope that Mr Yeltsin's position would become untenable.

Since that first campaign failed, they have been biding their time, waiting for public patience to snap and hoping for new alliances to emerge to strengthen their position. Mr Khasbulatov's outburst yesterday will strengthen that hope.

So far the initiative is still with Mr Yeltsin. Russian reporters who travelled with him last week say his popularity has been unaffected by the price liberalisation. Everywhere he went, they say, people insisted that they still supported him. Either they accepted that painful economic reform was necessary, or they separated Mr Yeltsin from the policies of his government.

The fact that none of the blame for the price liberalisation rubs off on Mr Yeltsin personally means that he can afford to support his reformist government and press on. He can only press on, however, if his reformist will is not weakened, after what was clearly a harrowing visit to the provinces.

Some of those who accompanied him last week said that he had been visibly shaken by the effects of the price liberalisation and had complained that he had been misinformed about its likely effects. They suggested that he might be tempted to slow down or even backtrack. Mr Khasbulatov's challenge to the government yesterday will hardly do anything to stiffen his resolve.



Street enterprise: a Russian selling home-made wine on the streets of Moscow yesterday, where official prices have trebled this year

Belgrade condemns Vatican for recognising breakaway states

BY TIM JUDAH IN BELGRADE AND OUR FOREIGN STAFF

THE Vatican yesterday announced that it was recognising Croatia and Slovenia two days before European Community countries decide on recognition for the Yugoslav republics.

Announcing the decision

which brought an immediate protest from the Yugoslav foreign ministry, a spokesman for the Holy See said a message had been sent to Belgrade explaining that it should not be seen as a "hostile act". But only a few hours later Milan Vranić, Yugoslavia's deputy foreign minister, was quoted by the state news agency, Tanjug, as saying the move could jeopardise peace prospects and the latest truce. Belgrade would take the "necessary steps" against the Vatican.

The Vatican's action is no

surprise, as both Croatia and Slovenia are overwhelmingly Catholic. However, in what may well be a precedent for the EC the Holy See did not extend recognition to Bosnia-Herzegovina and Macedonia, which have also requested it.

Over the last few months Serbia has launched a fierce propaganda campaign against the Vatican, claiming that it has been working in tandem with "fascist" Germany and Austria to destroy Yugoslavia and aid a "new genocide" of Serbs living in Croatia. Serbs are constantly reminded of the so-called "ratlines" by which the Vatican allegedly aided prominent Croat fascists to flee Yugoslavia after the second world war. Germany, Sweden and Iceland are so far the

only other Western countries to have recognised Croatia and Slovenia.

Vasil Turpukovski, a senior Macedonian politician, claimed yesterday that the EC's arbitration commission,

which has been studying recog-

nition applications from

four out of the six Yugoslav

republics, was looking

"favourably" on Macedonia's request. However, as no EC

countries have yet said it will

recognise Macedonia or Bos-

nia-Herzegovina, there is

growing speculation that

their requests will be put on

ice pending the outcome of an

overall Yugoslav settlement.

Giovanni De Michelis, the

Italian foreign minister, has

said that "problems" have

arisen over Macedonia and

Bosnia, and Francisco

Ordoñez, the Spanish foreign

minister, said on Sunday that

it was "highly unlikely" that

the two would be recognised

tomorrow.

Last week Serbs in Bosnia-

Herzegovina announced that

they were to found a "Repu-

blic of the Serbian People"

in Bosnia, but also said they

would not begin to imple-

ment their decision until ei-

ther Muslims and Croats in

Bosnia began implementing

their own declaration of se-

cession from Yugoslavia or

until Bosnia received interna-

tional recognition. Serbs

make up some 31 per cent of

Bosnia's population. Croats

17 per cent and Muslims 44

per cent.

While Bosnia is a historical

unit, EC foreign ministers

will be mindful that the re-

quest for recognition comes

Bulgaria focuses on race

FROM ROGER BOYES
IN SOFIA

ZHELIU Zhelev, the Bulgarian president, is heading for a final duel with the nationalist lawyer, Velko Vulkanov, in a contest that will not only decide the future head of state but also colour the nation's entire political complexion.

A key Zhelev aide said yesterday: "This time we will not underestimate the coalition of a nationalist extremist and former Communist." President Zhelev, aged 56, won the lion's share of votes on Sunday in the first nationwide presidential election in Bulgaria, but fell about 5 percent short of the 50 per cent needed to win outright.

His arch-rival — and thus his duelling partner in the run-off next Sunday — is Mr Vulkanov, aged 46. Mr Vulkanov, who won about 30 per cent of the vote, campaigned on the theme of "the Bulgarian nation", exciting fears about the growing political importance of the minority ethnic Turkish population.

Although not a member of the Socialists, he is being backed by the party of the former Communists.

Their support has led to the forging of a powerful force. The disgruntled body of former Communists is willing to go along with a nationalist to conceal the fact that it no longer has a coherent ideological platform.

The former Communists fear calls by ethnic Turks to ban the Socialist party and to try those involved in the forced Turkish emigration of the 1980s. Therefore, they have voted for Mr Vulkanov, who appears willing to clamp down on the Turks and neutralise their power in parliament, where their support props up the ruling party.

After October's general election, the Union of Democratic Forces emerged as the strongest party, but it can only rule with the support of the Movement for Rights and Freedom, which represents Turks.

By talking down the problem of nationalism, the government believes that it has shrunk to manageable proportions. Mr Zhelev pinpointed the social unrest that could be triggered by radical economic changes as the biggest danger to reform. But this underestimates how the economic and ethnic issues are being linked by the former Communists.

Leading article, page 13

Kenyan rebels released on bail

Nairobi: Two Kenyan politicians charged with spreading "malicious rumours" that President Moi was to stage a coup in order to end the country's move towards democracy appeared in court and were released on bail (£1,600 each). Two other opposition figures were arrested yesterday.

Josephat Kaitana, a former vice-president, and Matu Wamae, a former MP, were released on bail of about £1,600 each.

Professor Wangari Maathai, the first black woman to win a doctorate in Central and East Africa and a founder of Kenya's environmental movement, was arrested at her home on the same charge after a 24-hour siege by James Oremo, a lawyer, was arrested outside the chief magistrate's court as hundreds of jubilant supporters of the opposition Forum for the Restoration of Democracy staged a brief demonstra-

Salvador offer

New York: Boutros Boutros Ghali, the United Nations secretary-general, proposed sending 1,000 peacekeepers to El Salvador, while government and rebel negotiators worked to agree on an accord to end the civil war. (AP)

EC candidate



Brussels: Egon Klepsch, above, aged 61, an ally of Helmut Kohl, the German chancellor, and the European parliament's longest-serving member, is in line to become the parliament's president. He will serve until 1994. (Reuters)

Stasi informer

Dresden: Wolfgang Bergner, the former communist mayor of Dresden, had collaborated with the Stasi secret police, it emerged here. He reported on talks that he had had with the East German opposition. (AFP)

Price protests

Warsaw: Solidarity staged strikes across Poland in protest against energy price rises of up to 100 per cent on gas and electricity.

Black killed

Johannesburg: Molana Lebena, a black farmworker aged 60, was beaten to death by whites apparently outraged because his dog had been mated by that of a white couple. The Star newspaper reported. (Reuters)

Oil explosion

Marselles: An explosion and fire on a partly constructed oil drilling platform injured 28 workers, one critically. Unconfirmed reports said that a leak of propane gas during soldering work may have been responsible. (AP)

Market rules

Ulan Bator: After 70 years of marxism, Mongolia has passed a new constitution rejecting communism and enshrining democracy and a market economy. The constitution also guarantees freedom of speech. (Reuters)

Chad killings

Ndjamena: Police in Chad killed ten people in raids on their homes last week, sources said. France condemned the executions and said its support for the government "depends on its pursuit of the democratic process". (AFP)

Korean pact

Seoul: Chung Won Shik, the South Korean prime minister, signed a pact with North Korea declaring the peninsula free of nuclear weapons. The two Koreas will exchange signed copies of the accord today. (Reuters)

Jail break-in

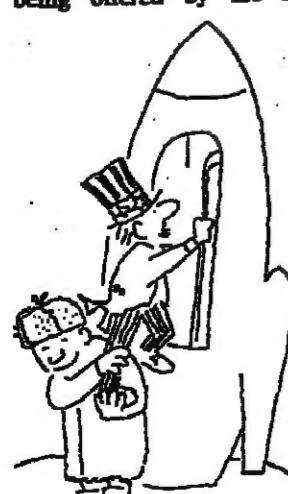
Youngstown, Ohio: An escaped prisoner charged with killing four men surrendered after breaking into a jail with two accomplices, all dressed as policemen, allegedly to kill witnesses to the earlier shootings, police said. (AP)

Russia offers Mars boost to America

BY NICK NUTTALL, TECHNOLOGY CORRESPONDENT

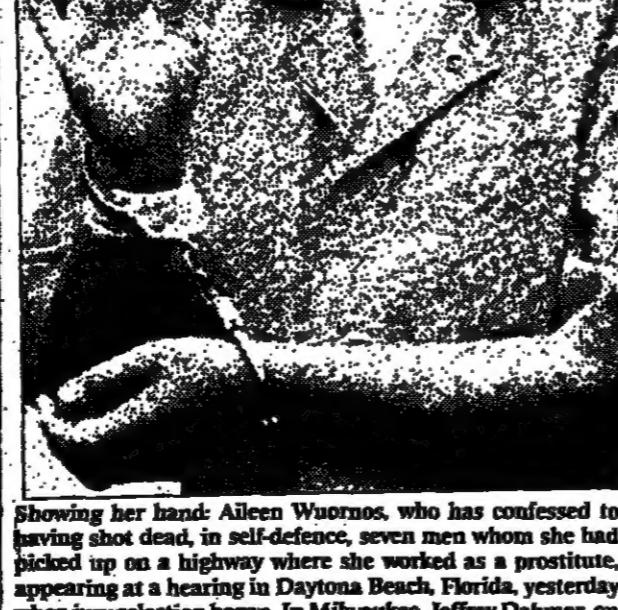
RUSSIA yesterday offered to share its secret space technology with America, claiming that its rocket expertise could cut the flight time to Mars by more than half.

At the I.V. Kurchatov Institute of Atomic Energy in Moscow, engineers have been developing a nuclear-powered rocket that could get people to the red planet and back in a year. A trip using conventional rockets would take about two and a half years, an American report published last year estimated. The Russian rocket is being offered by the re-



public for use on the manned mission to Mars which was announced by President Bush in 1989 and is scheduled for 2014.

Test-firings of the rocket, which would be the first to pro-



Showing her hand: Aileen Wuornos, who has confessed to having shot dead, in self-defence, seven men whom she had picked up on a highway where she worked as a prostitute, appearing at a hearing in Daytona Beach, Florida, yesterday, when jury selection began. In Milwaukee, Jeffrey Dahmer, on trial for the murder and mutilation of 15 young men, pleaded guilty but insane. He is also accused of acts of cannibalism.

FUMIO Abe, a former chief fund-raiser of the *kinkoban* and close ally of Kiuchi Miyazawa, the Japanese prime minister, was arrested last night on charges of accepting bribes. Mr Abe, aged 69, who had gone to a Tokyo hospital yesterday morning claiming "physical debilitation", was held after a six-month investigation into allegations that he had accepted more than £350,000 in bribes from Kyowa, a steel company involved in a £30 million fraud case which led to the arrest of his vice-president last July.

The incident could be highly damaging to the prime minister, as Mr Abe

was well known in political circles as Mr Miyazawa's guardian of the coffers. During Mr Miyazawa's campaign last summer to win the leadership of the ruling Liberal Democratic party and the premiership, Mr Abe filled the post of secretary-general, a role traditionally reserved for the *kinkoban*. Such is the level of scandal in Japan at present that the weekly magazine, *Shukan Post*, and other Japanese newspapers have suggested that some of the Kyowa bribery money was used in Mr Miyazawa's campaign.

The case calls for a review of political ethics," said Mr Miyazawa, whose role in the 1989 Recruit bribery scandal has attracted renewed interest among opposition parties since last month when he ruled out parliamentary testimony by his former secretary

and others. Mr Miyazawa denied the press reports that the Kyowa bribery money had ended up in the Miyazawa faction coffers.

Revelations involving Mr Abe's financial dealing include, according to the *Mainichi* newspaper, spending £1,000 a night on dinners and mahjong gambling sessions with actresses.

Mr Abe, who was in custo-

dial last night, was reported to be in a fit condition. Members of the Japanese parliament cannot be arrested while the Diet is in session and Mr Abe is said to have entered the Tamai hospital in northern Hokkaido island.

The case calls for a review of political ethics," said Mr Miyazawa, whose role in the 1989 Recruit bribery scandal has attracted renewed interest among opposition parties since last month when he ruled out parliamentary testimony by his former secretary

My bag's smaller than your bag

A handbag? The practical shoulder bag is being replaced by something small and decorative. Liz Smith reports

Just as you used to be able to judge a gentleman by the state of his shoes, a woman was said to reveal a lot about herself by her choice of handbag. The small, neat bag that usually dangles from the Queen's wrist indicated that here was a woman uncluttered by housekeys, credit cards or small change for the parking meter. The rest of us had to regiment our daily needs inside a roomy feather tote slung over the sharp shoulders of a suit.

Today, padded shoulders are out of vogue. Women no longer need to prove their working status by wearing tailored clothes. Most surprising of all is the contrariness of professional women who have abandoned the efficiency of a roomy bag to follow one of fashion's more impractical whims: the tiny, wrist-dangling and — surely — just decorative, bag.

The ever-diminishing bag remains the fashion mystery of 1992, but it has propelled into the spotlight a group of designers who have made this year's cult accessory their specialty.

Lulu Guinness launched her bag business two-and-a-half years ago with the Lulu, a businesslike briefcase kitted out with pockets and tabs to hold the tapes, pink timesheets, and other essentials of television production assistants like herself. All in leather, and manufactured in Chester, its price, at £300, was as serious as its styling.

For Christmas 1990 she added to her range a less serious style, the "dolly" drawstring bag in colourful suede. It cost £47, was stocked by Liberty in London, and her friends all bought it. Result? The original Lulu, like every other practical tote, risks becoming an endangered species. Instead, Mrs Guinness's design studio in the basement of her west London house is dotted with drawstring "totes", tiny buckets in scarlet or pink silk grosgrain, small circular zipped bags in bright suede or satin, and cylindrical leather pill boxes that dangle by a loop from the wrist.

Mrs Guinness says that she enjoys creating bags which her friends want to buy and can afford — boxy, structured 1950s shapes that sell for between £50 and £100. With no fashion training, she produces simple technical drawings for the factories (based in London's East End) to follow. She has aimed at a specific gap in the accessories market, supplying



Bags of room: Lulu Guinness, left, with her circle and her pleat bags. Anya Hindmarch, right, shows her bead handle and petal bags, and a classically styled handbag

something well-designed at a price way below that of the average status-symbol bag. Janet Fitch, 2 Petty Street, London W1, and Warehouse, in Glassford Street, Glasgow, are among the chic shops that sell Lulu bags.

With a daughter, Tara, just two months old, Mrs Guinness has not got all grasp of practical necessities. Her friends often comment that she adds a shoulder strap to her bags and, as well as a roomy suede shopping tote (£82.25), with a grosgrain purse that clips inside, she launches the "baby bag". Bored by the nursery prints and pastel colours on most baby-changing bags which let down the image of an otherwise well-dressed young mother, the Lulu baby bag comes in a sylph black and gold Celio Birrell print. It may be bought by mail order, for £49.35 including

postage and post. Telephone 071-221 0626 for details.

Vivid colours and small, boxy shapes are also the signature style of Dollargrand, whose bags have been brightening up accessory counters in stores across the country for several seasons; selling for about £30. Glenn Hess of Dollargrand can assess a woman's style from her bag and is horrified by the scruffy satchels carried around by otherwise chic women. "In France and Italy women choose a bag with as much care as they give to the rest of their outfit. The idea is at last catching on here," he says.

Dollargrand's hearts, boxy "metronome" shapes, buckets, panelled multi-colour footballs and tiny Madonna-style beauty boxes are, he says, the antithesis of the status symbol chain-handled Chanel bag, the bamboo-handled pigskin

Gucci or Hermès' "Kelly" bag (Grace Kelly's favourite in the 1950s). However, Dollargrand's exuberant take-off of Chanel's quilted style (in heart shapes instead of diamond patterns) and the celebrated twist-clasped "Kelly" (scaled down, and in a riotous mix of "colours"), have been

among the season's best-sellers. The latest craze is for Dollargrand bags so small that they hang around the neck, medalion style. The heart, Dollargrand's signature shape, is used both for a tiny medallion bag as well as a roomer style. Either would make a good Valentine's day present. Perfumery, Selfridges and Harvey Nichols in London, Hoopers in Torquay, Chichester, Tunbridge Wells, Chesham, and Winslow, as well as Beales of Bournemouth, all stock the range.

Anya Hindmarch became smitten with beautiful bags at school in Florence and proved her entrepreneurial talents early. At 19 she borrowed £500 from her bank manager to import a range of drawstring duffle bags from Italy, and sold them mail order through a glossy magazine's "special offer"

page. Today, at 23, her quirky bags so small that they have a tiny drawer at the base, in boxy shapes dangling on ropes of pearls, bags inset with clock faces or clasped with a jewelled crown — sell in smart stores in New York and Los Angeles, as well as in France, Italy and the UK. The Americans particularly love her new boxy "poodle" bags, with a poodle charm dangling on a chain.

"I would love to do for handbags what Manolo Blahnik has done for shoes," Miss Hindmarch says. Her prices run from £187 to £250.

Joseph Etchedgui,

the trendsetting retailer and arbiter of chic in London, displays her bags in his shop like pieces of modern sculpture. Other stockists include Palmer in Moxcomb Street, SW1, Polyania in Barnsley, West Yorkshire, and Collections in Leeds.



Glenn Hess is horrified by the scruffy satchels carried around by otherwise chic women

Too twee, or just terrific?

A pastel-painted estate offers a new recipe for the "village"

Designs for new model villages abound. John Evennett has actually built one. Even before the Prince of Wales's plans for Poundbury, his model village in Dorset, were published, the search was on for an alternative to the suburban-style speculative estates that proliferated on the edge of almost every country town in England during the 1980s, with their self-consciously meandering roads, cul-de-sacs and hideous signature of cars parked on concrete "lawns" in front of every house.

Outside Sittingbourne in Kent, Mr Evennett has designed Church Milton, a housing development for Royco which no one could fail to notice. At the time it commissioned Mr Evennett, Royco was fresh from a management buy-out, led by Robert Clarke, its managing director.

"He did things most other developers thought were mad," Mr Evennett says. "Instead of relentless uniform brickwork, many of the houses were rendered and colour-washed. You've no idea of the prejudice against this in the trade," Royco even imposed covenants to ensure that the houses would be repainted in the same pastel colours, pale greens, pinks, blues and creams.

Instead of the usual detached or semi-detached houses, Royco built terraces. "Something normally reckoned to knock 20 per cent off prices," Mr Evennett says.

The concept was "to build groups of houses that never repeated," Mr Clarke says. "I wanted people to be able to say, 'I live in the pink house round the corner, second on the left.' No struggling to find number 27."

One of the things which makes the design work well is the choice of materials. Having dispensed with mass-produced brick and hot red concrete tiles, Mr Evennett introduced slate roofs, white weatherboarding typical of Kent, wooden verandahs and, best of all, proper sliding wooden sash windows.

Variety is achieved by mix-



Green spaces: a Church Milton home at the edge of village green with its carp pond

ing painted and weatherboarded houses with occasional brick ones. Prices averaged £55,000 for a two-bedroom house, and £70,000 for a three-bedroom one. The houses have all been sold.

The variety, Mr Clarke says, also helped to bring out the best in the builders. "Where each house is a repeat, the tradesmen get blasé. They don't have to look at the plans. Here we noticed a distinct improvement in quality. I had a carpenter here who brought his wife to look at one of his new houses for the first time in 25 years."

The sash windows estab-

lished a happy set of proportions throughout the estate. Royco dropped the kitchen window sills (usually raised to accommodate standard height kitchen units) so that they would match the others. "It leaves a little trough behind the kitchen sink, but you can stand the Fairy liquid in it," Mr Evennett says.

The relatively generous proportions of the houses also adds to the look of the estate. "We went for high ceilings," Mr Clarke says. "The cost is that of an extra tread on the stairs and three courses of brickwork. Inside, we use deep skirtings, wide door architraves, panelled doors and brass door furniture to give character." He also gave

it a "next door to an ugly factory site filled with concrete drainpipes."

Royco introduced a village pond and let the grass grow long. Mr Clarke explains: "The land when we started was cheap. Cheap because of its poor situation. So we could afford to be relatively generous."

"Usually, the open spaces in such developments are tucked away in little awkward corners of no value. Here the village green is the main focus, a great feature for bonfire nights and all sorts of events." The one element missing in the Arcadian scene is a few trees.

After the first 130 houses on 10 acres, Mr Clarke sold off the rest of the site to other volume house-builders. As a result, the rest of Church Milton is now, unfortunately, a textbook example of different developer building types.

Church Milton won accolades for Royco, including best house-builder of the year in 1989 from *What House?* magazine. But, Mr Evennett says, it did not bring him a single enquiry from another developer.

The obvious criticism of Church Milton is that it is twice as expensive as in Sittingbourne "call it toy town," Mr Clarke says cheerfully.

Audrey Colclough, who lives in a house overlooking the village green, has no qualms. "It's very pretty. Just the colours that make people call it toy town. But as soon as you walk in from the busy main road you suddenly feel a wonderful tranquillity. The village green is a great asset. My husband has filled the pond with carp. Everyone is very protective of it."

Mrs Colclough also runs the community hall built by Royco. "It's booked up every night with youth clubs and OAPs. Darts, table tennis, snooker, and cards." The difference between a housing estate and a village is precisely this sense of community and provision of community facilities.

One weakness of the scheme is the lack of shops. Another resident, Benji Avards, comments: "The houses are beautiful, but there's no shop, not even a

Speakers that speak volumes

Bang & Olufsen says its latest product is a museum piece. Will the public agree?

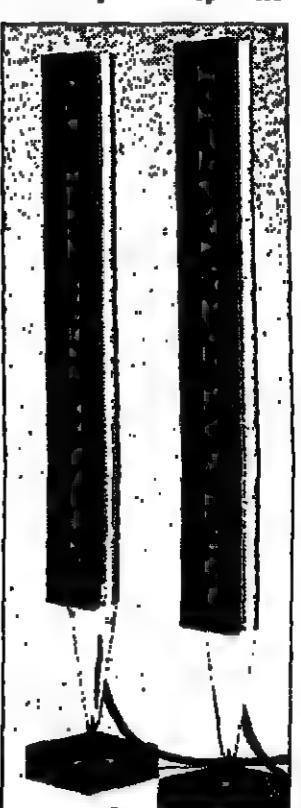
Can a loudspeaker be a work of art? Bang & Olufsen, the Danish radio, television, and hi-fi manufacturer, thinks it can. The company predicts that its Beolab 8000 loudspeaker will soon join other Bang & Olufsen products on permanent display in New York's Museum of Modern Art.

Picture a loudspeaker and a black, rectangular box springs to mind. Turn to the Beolab 8000 and you see an architectural shape not unlike a church organ pipe. High-rise and slimline, the Beolab 8000 has a V-shaped foot fastened to a square, cast-iron base for stability. A silvery, anodised aluminum cone supports a slender, black, Lycra-covered rectangle.

This may be what museum exhibits are made of, but is it the stuff of sitting rooms?

The speaker was created by David Lewis, a British designer who trained at London's Central School of Art and Design. Its effect has been achieved by Bang and Olufsen's in-house design team, which is involved at the earliest stage of a new product's technical development.

Mr Lewis emphasises the "liveability" of the speakers.



Pipes dream? Beolab 8000

"This is a minimal approach to large sound," he says. "Loudspeakers are generally too large, too heavy, with boring shapes. But it's not necessary to have the encumbrance of enormous boxes. These are visually compact, and not too much."

The speakers are 4ft 4in tall by 6in wide and 6in deep, weigh 44lb and can be connected not only to Bang & Olufsen equipment but also to that of other manufacturers'. Works of art do not come cheap, however: Beolab 8000 loudspeakers cost £1,800 per pair.

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The Tories need not be on the defensive

The latest snapshot of yo-yo politics gives little comfort to the Tories and mild encouragement for Labour. Last Friday's *Daily Telegraph* Gallup poll showed the Tories within four seats of an overall majority; not the best position from which to form a government. In *The Independent on Sunday*, NOP gave Labour a five-point lead, enough for an overall majority. Now look again. Both polls showed Tory support holding to the vital 40 per cent mark, and the Liberal Democrats at 15.2 and 12 per cent respectively.

Opinion polls habitually underestimate substantially the Liberal Democrat vote in the polling booth. In January 1987, Gallup gave the Tories 34.5 per cent, Labour 39.5 per cent and the centre party 8.5 per cent. The outcome in the June election in percentages was: Conservative 41, Labour 34, the centre party 23.5 per cent. Mr Ashdown's party may not reach this level in the election, but it is bound to get at least 5-7 per cent more than today's rating.

On the evidence of past elections, the Tories have only to hold on to 40-41 per cent to have a comfortable overall majority. They will also be aided by approximately one million people not registering for a vote, in fear that this would make it easier for them to be tracked down by the authorities seeking community charge payments.

Pollsters surveys are conducted on the basis that all questioned have votes, and take no account of the reasonable assumption that most of the missing million would have voted Labour. Labour's hope must be that many erstwhile Tory voters, particularly in the South, worried by the novelty of surrounding unemployment and by difficulties with their mortgages, will abstain. On polling day, of those now intending to abstain, few would be likely to vote Labour, some would vote for the Liberal Democrats and others would reluctantly vote Tory again as the lesser of two evils. A superstition among politicians is that the country votes according to its mood six months before. But in June 1987, the five-point Labour lead of January vanished.

The Tories would be foolish to rely on precedents. The British fair-play instinct to give the other side a chance can be potent, as it was after 13 years of Tory rule in 1964, which could effectively, and with some accuracy, be described by Labour as wasted years. Nevertheless, Alec Douglas Home came within a whisker of winning.

While on the defensive, the Tories are failing to trumpet the lasting successes of the Thatcher years. The decline of earlier decades was halted. Whether in average incomes — well above 1979 in real terms — or in ownership of material goods, there is overwhelming evidence that the great majority are appreciably better off.

The menace of perpetual strike disruption ordered by defectively elected trade union leaders was ended by the introduction of secret postal ballots for union executives and before strikes. Though Labour has promised to reverse some of the popular new laws, it dare not destroy the substance of them. Labour aims to damage the newly privatised industries, but declares it will not nationalise them in the old form. Mrs Thatcher forced Labour to move dramatically to the right, at least in its proclaimed intentions. Her achievements in changing the face of Britain, including Labour, have a strong ring in the tail for the Tories. Labour is beginning to look almost like America's electable Democratic party. The Tories should address themselves urgently to proving that Labour has not yet reached this cosy status, and that it needs to modernise itself much further, after losing at least one more election, before the country is safe in its hands.

A year after 'Scud FM' showed the need, Radio 4 should become a 24-hour news service, says Janet Daley

Feeding a news junkie

A year ago, the country was in thrall to an unprecedented radio news service known in broadcasting circles as "Scud FM". Like many good things, it occurred spontaneously: when the action began in the Gulf, there never seemed to be an appropriate moment to go off the air, so Radio 4's *Today* simply carried on until it merged with *The World At One*, and then with *PM*, and having come that far, it seemed sensible to go on through the night (especially as that was when everything happened). The show was up and running before anyone had time to think of obvious objections.

With remarkable efficiency, wavelengths were sorted out so that Radio 4's usual audience need not be deprived of *The Archers* for the duration, and Britain faced with its own all-day news service. Not only did it non-stop coverage of the war prove surprisingly popular, but when faced with a sudden domestic drama — the IRA mortar attack on Downing Street — the service was

impressively capable of switching gear to follow up that event minute-by-minute.

When the war ended, the BBC congratulated itself on its accidental success, and wound the whole thing up. But a few people at Broadcasting House wondered why it should not be done all the time. After all, there seems to be a healthy market for Sky News and CNN. And radio has advantages over television when it comes to continuous news, being cheaper and more flexible, and available to audiences outside the home.

To my delight, I found last summer that most of my contacts in BBC radio sounded positive about making the experiment a permanent fixture. Like most journalists, I am an incurable news addict. On a good day, I can just about stagger through with Radio 4's daytime programmes,

the main evening television news and a bedtime dose of *Newsnight*. Having something to fill in the gaps would be bliss.

But this would serve the needs of more than just professional junkies. At a time of tumultuous change in the world, it seemed absurdly parochial that the British should have had to wait for the next scheduled news broadcast to discover whether communism had finally collapsed. During the coup in Moscow, when world politics seemed to be swinging from one pole to another within hours, we had to be content with out-of-date reports relayed at the usual intervals. More than anything, I felt cheated of the breathtaking sense of hearing of an event as it took place: the knowledge that crowds were storming the Lubyanka at that moment.

Alas, the latest official word

from the BBC is that full-time radio news will not be with us "for the foreseeable future". All of last year's optimism has apparently pattered out. The scheme of a current affairs channel offering the kind of sophisticated analysis at which the BBC excels — a news service for adults with the seriousness that only radio can maintain, because it is not at the mercy of "visuals" — looks like dying on the vine. Those of us who are grievously disappointed had not reckoned on the degree to which the BBC was captive to its own sectional politics.

Vested interests, protecting their own warring empires, have been able to offer some credible arguments. "Scud FM" was criticised for just the things which arose from its need to broadcast non-stop. Hours of relentless waffle was produced by the simple

need to keep talking. Much of what was said was tedious or (in the interests of novelty) positively perverse, and speculation was built upon speculation.

This case would be more convincing if the opponents did not want to have it both ways. For they also claim that the only reason for "Scud FM's" success was that there was a war on: in peacetime, there would be nothing like the public interest in continuous news. But being a single issue service was the limitation which made "Scud" vulnerable to the charges of both sexism and irresponsibility. A permanent news channel would have open to it the full range of interests covered by any daily newspaper: arts, finance, health, education. It could offer specialist programmes instead of endless free-form punditry: perhaps a

major political interview broadcast live in the afternoon and repeated in the evening, or a version of the American perennial *Meet the Press*, in which newspaper journalists quiz a politician.

Some new guidelines on political balance during election periods would be needed, of course.

To satisfy the people with stop-watches in Smith Square and Walworth Road, there would

need to be clear segments of political coverage so that exposure time could be measured. But on the whole, fairness could more easily be guaranteed. Any section or party which felt aggrieved could be offered air-time without elaborate advance planning. Not only would a wide breadth of opinion be possible, anything else would be hard to explain.

But all this promise is fading fast. Like all large bureaucracies, the BBC favours those who guard their own spheres of influence. Sadly, "Scud FM" now seems destined to be one more instance of the British being at their best only when they are at war.

Islam's fundamentalist flaws

The Algerian election fiasco highlights a harsh dilemma facing the Muslim world, argues Michael Binyon

Onponents of the Islamic Salvation Front had good reason to fear that if the Front were voted into power in Algeria, it could never be voted out again. Its leaders expressed open contempt for democracy, equating it with atheism. They promised huge changes in the constitution to cleanse Algeria of corrupt Western values and turn it into an Islamic state. They exploited the electoral processes to offer voters a stark choice: Islam or democracy.

Significantly, the greatest threat to limited democratic freedoms comes from Muslim militants: in Pakistan it was the political heirs of Zia ul-Haq who overthrew Benazir Bhutto; in Jordan it is the Muslim Brotherhood which threatens civil rights; most Jordanians have long enjoyed; in Egypt the fundamentalists are the main threat to secular freedoms.

However, this is to overlook both the influence of the West and the essence of Islam. Muslim fundamentalism is essentially a reaction against the West. It rejects not

so much democracy as the Western concept of secular, pluralist democracy and the related cultural values. It draws on spiritual frustration, a political inferiority complex and material discontent — for impoverished fundamentalist governments cannot match Western promises of plenty — and rejects secular society, individualism and rationalism — as opposed to religiously-inspired jurisprudence. Fundamentalism draws strength from nationalism, the resentment throughout the Muslim world at Western domination and the lasting spiritual trauma of colonial rule by non-Muslims.

Islam, Muslims insist, is not a religion confined to the private life of man; it is a prescriptive way of life. Christ's saying "My king-

dom is not of this world" is incomprehensible to Muslims, who believe that God's word was revealed to Muhammad, and that man's duty is to obey this revelation. A ruler's duty is not to make new laws, but to uphold the laws of the Koran. For this reason colonialism by Christians has been anathema since the Crusades.

Inevitably, temporal and religious power were gradually divided in the Muslim world, as theology retreated into the madrasahs — Islamic schools — and ordinary secular struggles brought various military and dynastic rulers to power. Post-colonial rulers inherited nation-states with boundaries determined mostly by outsiders, constitutions embodying Western ideas of rights and



Choice or the chador: moves towards democracy in Algeria fall foul of deeply-felt religious traditions

freedom, and societies strongly influenced by Western science and technology. Most modern Muslim thinkers accept today's world. There is nothing intrinsically offensive to Muslims in the present polity or the United Nations declarations on human rights. Though not invented by Muslims, the fax, the aeroplane and television are not unislamic.

However, the fundamentalists trying to purify Islamic society by returning to its origins are essentially spiritual Luddites, throwing out all the benefits of modern society along with its political assumptions. They see pluralism as a Western evil because it would tolerate parties that either turn their backs on Islam or believe that laws can be framed, debates

resolved and society ordered without reference to either the Koran or hadith, the body of early Muslim teaching. They do not call for democracy: a ruler must be just, pious and consult the people.

Military regimes are not acceptable, being banned by the Koran and imposed upon the people. From Indonesia to Algeria, and Pakistan to Sudan, fundamentalists oppose parliamentary democracy which gives secular parties free rein. For them, the best kind of democracy is a consensus in society, with consultation on the lines of the mass participatory meetings Colonel Gaddafi has attempted in Libya.

The problem for today's Muslim rulers is that fundamentalism touches on beliefs most people

share, but carries them to an extreme that is socially impractical and unacceptable to the majority. These beliefs can only be secured by coercion, as in Iran and Saudi Arabia by giving religious "police" a power that amounts to dictatorship. How many women in Algeria want to put on the veil? How can business in the Gulf be carried on if the ban on usury is taken literally?

Islam, now in its fourteenth century, is, after a long period of stagnation, undergoing the kind of spiritual upheaval that occurred in Christianity during the Reformation. Fundamentalism is analogous to the counter-reformation: also a struggle for influence played out daily in the streets. Opponents of fundamentalism are inhibited from using the arguments of secularism because they are so identified now with Western domination. Instead, they argue that Islam is democratic, not authoritarian, and that an Islamic order with secular rules derived from Muslim beliefs does not have to be an Islamic state, with all its inevitable coercion and disappointment.

Algeria is only the latest battleground in the confrontation. Many of those who voted for the Islamic Salvation Front did so not because they want to recreate the golden age of Islam in Algeria, but out of anger over rising unemployment, corruption, the shortage of houses and the political stagnation. The Front offered a vibrant though harsh alternative. The West must alleviate the disease, not rail at the symptoms. Only the offer of free trade and a new political partnership to countries that eschew fundamentalism will halt its march through Africa.

...and moreover

Craig Brown

To the Editor, The Times Literary Supplement, January 14. Sir, May I take this opportunity to congratulate you and your staff on the 90th anniversary of your excellent journal, and, in particular, the letters page, which has done so much to promote bonhomie and mutual respect among tollers in the literary vineyard. Keep up the good work! With best wishes, Timothy Nice.

To the Editor, TLS, January 21. Sir, Since you possess such cavalier disregard for truth as to print Mr T. Nice's ill-informed and spiteful letter (Jan 14), it may well be asking too much to suggest that you might now correct some of his wilder allegations.

Contrary to his sneaking intimations ("...with best wishes..." and vicious innuendo "...keep up the good work..."), my books are entirely my own work, and are not plagiarised, save where strictly necessary. My personal life, too, is without blemish, despite what Mr Nice may imply ("...to congratulate you and your staff..."), and my knowledge of life in 8th-century Isle of Wight remains unsurpassed. Yours sincerely, Edward Bundy (Professor).

To the Editor, TLS, January 28. Sir, I can't help but wonder whether Professor Bundy (Jan 21) has misinterpreted the drift of my letter of January 14. I was merely wishing to congratulate the TLS on its 90th anniversary. I meant no disrespect to Professor Bundy, whose name I did

not mention, and with whose work I am, also, unfamiliar.

Yours sincerely, Timothy Nice.

To the Editor, TLS, February 4. Sir, As a long-time colleague of Professor Bundy, was dismayed at Mr Timothy Nice's venomous letter of January 28.

Mr Nice makes the *faux-naf* claim that he "did not mention" and is "unfamiliar" with Professor Bundy and his work. Yet few readers can be in any doubt that the real intent of his earlier letter (Jan 14) was to hold Professor Bundy up to ridicule precisely by *mentioning* his name.

Professor Bundy is an acknowledged expert on urban life in 8th-century Isle of Wight and should not be subjected to such malice. Yours sincerely, Reginald Kray (Professor).

To the Editor, TLS, February 11. Sir, In a typically mean-spirited gesture, Professor Kray (Feb 4) derides me as "an" acknowledged expert on "urban" life in 8th-century Isle of Wight, when it is well-known that I am the acknowledged expert on *all* life in 8th-century Isle of Wight, urban and rural, a subject upon which I might add, Professor Kray's last book, *Never the Moccasin: The Footwear of Robert Browning 1867-73* had strikingly little to say. Yours sincerely, Edward Bundy (Professor).

To the Editor, TLS, February 18. Sir, Your issue of January 14 has been brought to my attention. Nowhere in her letter does Mr Nice mention my recently published book *The Wok and the Cloak*.

THE power of MPs to subpoena witnesses extends to the highest in the land, as the Maxwell brothers discovered yesterday. Commons select committees can summon cabinet ministers and peers of the realm to appear before them, and those summoned refuse on pain of imprisonment. Only one group, it seems, is unaccountable: the denizens of Brussels who daily exercise

Selective immunity

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no powers to summon him either.

Brussels, it seems, objects in principle to being called to account by national parliaments. A European spokesman says: "The Commission is not responsible to national parliaments." Quite.

• *Wall to wall* Commons television arrived yesterday. Cable television's dedicated parliamentary channel was launched on the first day back at Westminster, and round-the-clock live parliamentary coverage is now available to the 200,000 homes in Britain taking cable. Even better news for insomniacs, a channel offering British viewers live coverage of the European Parliament for the first time is due to be launched in the autumn, complete with simultaneous translation.

The MPs are particularly annoyed because they feel they

were simply trying to be "good Europeans". Clark says: "Not all the committee wanted the Commission to be invited in the first place, but we were trying to be community. It's a European issue. It's outrageous behaviour and we are very angry."

Lord Dacre and Lord Jenkins of Hillhead. But yesterday had

no idea why he was invited or

what's going on. He only knew

which plane to get on and where it

should land," she says. The Pope's

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Foxy tactics

FRED BARKER put on his pink

drank a draught of stirrup cup

and went off to hunt perhaps for

the last time yesterday. At the

weekend the Master brought in to

clean up the Quorn was forced to

resign when the hunt committee

attempted to re-instate two former

masters banned for breaking the rules.

Surrounded by 100 of his own

absent friends

outraged Leicestershire hunt followers, Captain Barker found

additional support from a most

<p



SILENCE IN THE HOUSE

The confrontation over the "right to silence" between the House of Commons social security select committee and the brothers Maxwell yesterday was theatrical. The Maxwell name may not be the most popular in the country at present and the impoverished Mirror Group pensioners deserve every sympathy, but the Commons committee has added nothing to its lustre by so stage-managed a climb onto a rolling bandwagon for the sake of publicity and self-importance.

Kevin and Ian Maxwell were directors of the Mirror Group Pension Fund and of the Maxwell-owned company which managed the fund's money, Bishopton Investment Management (BIM). In a self-appointed role as defender of Mirror pensioners, the Commons social security committee summoned the Maxwell brothers to appear before it last month. The Maxwells did not appear then, were summoned again, and yesterday duly turned up. Through counsel they told the committee that they could answer questions in writing but they declined to be questioned orally.

In fact there is nothing the committee can do, either to give practical help to the pensioners or to hasten retribution against whoever may have defrauded them. The former is the job of the administrators of the companies that Robert Maxwell controlled; the latter is the job of the Serious Fraud Office and the civil and criminal courts.

The exchanges between the committee chairman Frank Field, and the Maxwells and their lawyers lacked not only the customary histronics of encounters between United States Senate committees and witnesses pleading the fifth amendment: the scenario lacked a fifth amendment itself. Both Maxwell brothers refused to answer questions on the grounds that their answers might incriminate them, and counsel defended their refusal by reference to a right in common law. But Parliament makes its own rules and is not automatically subject to those which apply in court, common law or not.

In Britain, unlike America, there is no

STAND-OFF IN SOFIA

Bulgaria's admirable philosopher-president, the former dissident Zheljko Zhelev, has narrowly failed to win an outright victory in the first round of the country's first free presidential elections, seen as a trial of strength between democrats and communists. He now faces a straight contest this weekend against Velko Vulkanov, an ultra-nationalist heavily supported by the formerly communist Bulgarian Socialist party (BSP), who polled an unexpectedly high 30 per cent of votes on Sunday.

This, although the high turnout proved that Bulgarians have not become cynical about the electoral process, is troubling for Bulgarian democrats. But the break with 95 per cent majorities routine under communism where people had no choice or were afraid to exercise it, is not unhealthy. Sunday's result should be read as evidence of the increasing sophistication of an electorate which, because most dissent had been savagely and decisively crushed early on by the communists, had more to learn about democracy than others in Eastern Europe.

United in toppling Todor Zhivkov in 1989, Bulgarians have been slower to discard communism. In the first parliamentary elections in 1990, the socialists made good use of the entrenched communist machine to defeat Mr Zhelev's inexperienced Union of Democratic Forces coalition. In fresh elections last October, they lost so narrowly that the UDF had to form a minority government which relies on the support of a third party, the Movement for Rights and Freedoms, which represents Bulgaria's large minority of 1.5 million ethnic Turks.

Yet the BSP's own estimate of its electoral appeal is now so low that it did not put forward a formal candidate of its own. In supporting Mr Vulkanov, it has relied on nationalists' prejudice to disguise its ideological weakness. Mr Vulkanov has exploited the UDF's informal parliamentary alliance with the Bulgarian Turks to win votes by appealing

CURSORY LANGUAGE

The world would be a better place, no doubt, if everybody in it spoke and wrote all the time in the measured tones of professors of moral philosophy or of *Times* leader-writers. But the world being the imperfect planet we are space-wrecked on, everybody does not. Many of the trillions of words uttered and scribbled every day are unmeasured, irrational, immoderate, cotton-woolly, and in varying degrees obscene. In the language game, rudeness beats logic in volume at least, as Niagara beats a soda siphon.

The tenth edition of *Maledicta*, "The International Journal of Verbal Aggression", published in San Francisco, surveys the fertile field of bad language from corpusculing Croatian curses to sexual and excretory terms from Japan. The latter chapter is an eye-opener, since swearing is one of the European properties, including body hair and body odour, in which the Japanese have until now been supposed to be deficient. The survey concludes that Yiddish is one of the most fertile languages for cursing, because for 30 centuries of being buffeted, Jews have had little to defend themselves with other than verbal aggression: "May your tapeworm develop constipation. May they circumcise your son and throw away the wrong piece."

History forms a nation's bad language. It is no accident that Australians, some descended from convicts or Cockneys, swear as colourfully as pirates' parrots. Swearing is the poetry of the exploited classes. The more bourgeois British ex-colonies, South Africa and Canada, are far milder-mouthed. Mediterranean swearing takes sex, parentage and

constitutional guarantee of a right to silence before a committee of Parliament. Such a right, if it exists, is in the class of moral or "natural rights", "inalienable" as the American constitution terms them, which idealists view as valid apart from their recognition by legislation, but which cynics dismiss (in Burke's famous phrase) as "nonsense on stilts". But whatever view is taken of their philosophical basis, whenever fundamental rights are being claimed in its direct dealings with citizens Parliament should have the sense to tread carefully. The almost unlimited power of Parliament over the freedom of the British citizen makes Parliament a potential tyrant unless it agrees to be constrained by its own volition.

This was not much in evidence yesterday. When the House of Commons comes to receive Mr Field's report and to decide whether to hold the Maxwells in contempt of Parliament, therefore, MPs should ask themselves whether the committee's pursuit of the Maxwells was justified by any higher good than the promotion of the committee's own importance. Everything that the committee is trying to do is also in hand by other procedures under the supervision of judges.

These procedures were laid down by Parliament itself. They do not need duplicating in a Commons committee room. One of the key questions Mr Field put to the Maxwells yesterday concerned the ownership of funds held by BIM. The Insolvency Act already defines circumstances in which an individual can be required to answer questions from liquidators concerning the whereabouts of funds for which he has responsibility. That act is already being used for those purposes in connection with the Maxwells and BIM funds. And the extent to which an individual may remain silent in the face of such enquiries, to prevent self-incrimination if criminal charges are brought, is currently being argued in the Court of Appeal. That is where the matter belongs. And that is where the rights of all those concerned will be best protected.

Yours faithfully,
W. L. LAMBETH,
Old Gilwynne,
Chiddingstone,
Egdenbridge, Kent.

Ridley's view on currency policy

From Mr W. L. L. Lambeth

Sir, Mr Nicholas Ridley, in his article of January 8, refers to the need to allow the exchange rate to float. There is a school of thought that a strong pound is a virtuous symbol and therefore "a good thing" regardless of how its strength is created. This ignores how a currency acquires value and the laws of supply and demand. The Japanese yen is strong because so many countries need yet to pay for imports of goods from Japan. It remains strong because of Japanese investment in industry and because of the ability of Japanese industry to remain competitive by innovation and productivity.

Robert Maxwell has been censured for plundering his companies' reserves and pension schemes in order to buy his own shares so as to create a strong share value. Yet we applaud the Treasury and the Bank of England when they plunder United Kingdom reserves in order to prop up the value of sterling. In the end the results of each set of actions are likely to be similar. Disaster for whichever is left with the results of the actions.

By relying on high interest rates to create a strong pound we put up costs to industry. We make it cheaper to import competitors' products than to manufacture our own. We make sterling vulnerable to speculators whose only concern is the high interest rate earned. We reduce investment because the rate of return has to be higher than the interest earned on non-risk investments. We put up prices in order to obtain the higher profits necessary to give the higher rate of return.

Any sudden change in value of a currency creates problems. Sterling must be allowed to float so that interest rates are reduced and the currency finds its true level on a gradual and ordered basis.

Yours faithfully,
HUGH DYKES, Chairman,
European Movement (UK),
Europe House,
158 Buckingham Palace Road,
London SW1.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Genetic testing and life insurance

From Sir Patrick Nairne

Sir, In the light of your important article by Nigel Hawkes ("Expensive genes", January 6) on the dilemma posed by genetic scientists for the insurance industry, it may be of interest to report that the Nuffield Council on Bioethics has established a working party on genetic screening under the chairmanship of Professor Dame June Lloyd, Nuffield Professor of Child Health in the University of London.

Such attacks from the far right on the ERM are increasing markedly. Various such commentators seek revenge on our long overdue departure from the disaster of fully floating exchange rates.

Surely the far-right ideologues

have a bit more explaining to do rather than launching assaults on a currency mechanism which has been a staggering success for those who had the wisdom to join earlier. What about the "guaranteed" supply-side mirage which the UK economy was bound to experience, they promised us, if all was subjected exclusively to free market forces?

This mirage has once again elucidated the hapless British, both because of the nonsensical effect of right-wing ideological theorising, much of which was unhappily turned into actual policy shortly after 1979, and because of our excessive conflict policies which our continental partners have been spared with their more stately I-may-promise-to-parliamentary systems. These allow for more consensus approaches to immensely complex economic problems.

Moreover, as any self-respecting one-nation Tory knows, if any government were to rely entirely on free market forces then the whole economy would just gradually run down. As Harold Macmillan realised, the public sector and private sector have to work together with moderate policies.

Yours faithfully,
PATRICK NAIRNE (Chairman),
Nuffield Council on Bioethics,
The Nuffield Foundation,
28 Bedford Square, WC1.
January 13.

From Mr Desmond J. Le Grys

Sir, In theory, life insurance companies could use generic tests to refuse insurance to people with a poor outlook and could encourage people with good prospects to take life insurance by offering them cheaper premium rates. In practice this is unlikely to happen, at least in the short term. Underwriters would prefer to use a "pool" approach, where a wide number of people are covered at a standard premium rate and only those with clearly abnormal risks are charged special terms or refused insurance.

BA and Virgin

From the Deputy Chairman and Chief Executive of British Airways

Sir, I refer to the three articles (January 13) initiated by continuing allegations against British Airways by the Chairman of Virgin Atlantic Airways, Mr Richard Branson.

We have already made it abundantly clear that neither British Airways nor any of its agencies is involved in any campaign against Virgin Atlantic, nor any of our other competitors, apart from through normal marketing and promotional efforts. There is no "dirty tricks" campaign and Mr Branson's allegations to the contrary are totally without foundation. For more than a year he has threatened to complain formally to the EC Commission on the basis of those allegations, but to date he has failed to do so.

It is bad for Christianity because precious few people are going to come looking for Jesus as long as Christians may be seen as a group of people so arrogant that they will try to censor other people's viewing.

Yours faithfully,
ALAN BULLOCK,
2 Moorland Close,
Leeds, West Yorkshire.

From Mrs Molly Harrison

Sir, How on earth do television producers manage to fill John Davis' drawing room with offensive and blasphemous programmes unless he allows them to do so? In our house we consult the *Radio Times* and make a decision before anybody can show us a programme - offensive or not.

Yours truly,

MOLLY HARRISON,
New Place, High Street,
Whitchurch-on-Thames,
Reading, Berkshire.

January 4.

From Dr Alan Bullock

Sir, Mr John Davis is of course quite right in suggesting that "a family viewing channel on television would attract a major audience" and in encouraging its inception.

He is, however, quite wrong in deducing that "other channels would have to follow its example", and seems unable to appreciate that television is not exclusively a medium for "family entertainment" but also reflects other areas of human experience which are equally valid and of greater interest to the adult viewer.

Fortunately programme planners appear to be aware of this fact.

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ALAN BULLOCK,
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Leeds, West Yorkshire.

January 4.

Those who cling to false gain
may abandon their loyalty
and all their sacrifice to you...
John 21:9 RRS

BIRTHS

COLMAN - On January 10th 1992 at 7.55 am. John (née Owen) and Anthony Colman, Alexander William son, Richard and wife of Rob and Ben. Funeral Service at Putney Vale Crematorium on Tuesday January 14th at 1.45 pm. Donations: If desired, to World Wildlife Fund or Cancer Research UK, 20 Grosvenor Gardens, London SW1W 8EP by 12 noon. A true gentleman.

GREEN - On January 12th 1992 to Terence (née Michael) and Michael, a daughter, Emma Gisley, a sister for Alice.

CARMER - On January 11th at the West London, to Philip, Steven, a son, Emma, a daughter, Sarah, Charles, a brother for Michael and Catherine.

HOLLINGTON - On January 10th 1992 to Dennis (née John), a daughter, Sandra, a sister for Eleanor and William.

HOYNE - see Wicks.

HELDEN - On January 10th to Catherine Helle Helle and Ronald, a son.

IRVINE - On January 20th 1992 to Ruth and Roy, two daughters, Alexandra Claire and Sarah Elizabeth.

KAYE - On January 11th at Hospital, Wellington to David and Jane, a son, Miles Joseph.

KOHIMA - On January 10th at 10.22 pm. Makiko and White, wife and daughter.

LEIGH - On January 10th 1992 at the Humana Hospital, Wellington to Douglas and Jane, a son, Miles Joseph.

LOWNES-WILLIAMS - On January 10th to Lucy (née Wesson) and Gordon, a brother for Emily and Katie.

MEADOWS - On January 10th to Pauline and Matthew, a son, Paul, a brother for Patrick Dennis, a brother for David.

PARNELL - On January 10th 1992 at St Mary's Hospital, Manchester, to Linda, a son, Steven, a daughter, Jo, weighing 7lbs 4oz.

MORDAN-EVA - On January 10th at St Thomas' Hospital, London to John and Paul, a daughter, Anna, a son, Michael and a brother, Alexander.

SCOTT-BALEHOUN - On January 13th, to Jennifer (née Blood) and Hamish, a son, Paul, a daughter, Camilla.

TAPSON - On January 7th to Clive (née Dene) and Janice, a daughter, Camilla.

TARF - On January 3rd to the Portman Hospital, to Christopher and Carol, a brother for Chloe and Olivia.

THOMAS - On December 31st 1991, to Linda, Thomas and Cristina, a beautiful daughter. Phoebe Louise. Underhill.

UNDERHILL - On January 10th, to Isabella (née Forbes) and William, a daughter.

WAHL - On January 13th, to John, a son, Michael, a daughter, Linda, a son, William, a daughter, Anna, a son, Michael and a daughter, Georgia (née Hobson) and Roger, a daughter, Zena May Emily, Psalm 139, verse 1-18.

WILSON - On January 10th, to John, a son, Michael, a daughter, Linda, a son, William, a daughter, Anna, a son, Michael and a daughter, Catherine.

GOLDEN ANNIVERSARIES

DAWSON-GIBBNEY - On the Harvey Church, London, on January 14th 1942, to Marion, now of Disraeli, Welwyn, Hertfordshire.

LOWE-MATTHEWS - On January 14th 1942 to Michael, now of Abingdon, Peter to Anne, Bill at Tenterden.

DEATHS

ALLETT - On January 12th, Norman Ernest, beloved husband of Pat and of the late Margaret, mother of the author of *Graham and Grandfather of Mark*. Family members only. Donations to War Memorial Research Fund. Funeral on Thursday January 16th at 10.20 am. All donations to War Memorial & Sons (081) 542-3300.

BENNETT - On December 31st 1991, peacefully at Newgate House, Abingdon, Oxfordshire, wife of Alfred Peter Bennett and dearly loved mother of Thérèse and Guri. The funeral has taken place.

BLAKE - On January 12th, Norman Ernest, beloved husband of Pat and of the late Margaret, mother of the author of *Graham and Grandfather of Mark*. Family members only. Donations to War Memorial Research Fund. Funeral on Thursday January 16th at 10.20 am. All donations to War Memorial & Sons (081) 542-3300.

BOYD - On January 12th, John Boyd, beloved father of Michael, a son, and of the author of *Graham and Grandfather of Mark*. Family members only. Donations to War Memorial Research Fund. Funeral on Thursday January 16th at 10.20 am. All donations to War Memorial & Sons (081) 542-3300.

BRADLEY - On January 12th, John (née Glynne) and wife of the late Michael, a son, and of the author of *Graham and Grandfather of Mark*. Family members only. Donations to War Memorial Research Fund. Funeral on Thursday January 16th at 10.20 am. All donations to War Memorial & Sons (081) 542-3300.

BUCKINGHAM - On January 12th, John (née Glynne) and wife of the late Michael, a son, and of the author of *Graham and Grandfather of Mark*. Family members only. Donations to War Memorial Research Fund. Funeral on Thursday January 16th at 10.20 am. All donations to War Memorial & Sons (081) 542-3300.

CARLTON - On January 12th, John (née Glynne) and wife of the late Michael, a son, and of the author of *Graham and Grandfather of Mark*. Family members only. Donations to War Memorial Research Fund. Funeral on Thursday January 16th at 10.20 am. All donations to War Memorial & Sons (081) 542-3300.

COOPER - On January 12th, John (née Glynne) and wife of the late Michael, a son, and of the author of *Graham and Grandfather of Mark*. Family members only. Donations to War Memorial Research Fund. Funeral on Thursday January 16th at 10.20 am. All donations to War Memorial & Sons (081) 542-3300.

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DEAN</

NEW RELEASES

♦ **BILLY BATHGATE** (15) Hero-worshipping lad Michael Schutze's gang in 1930s New York. Muddled, disappointing version of E.L. Doctorow's 1968 best-selling novel. Starring Dustin Hoffman, Loren Dean, Director: Robert Benton. Camden Parkway (071-267 7034)

CANNON (15) (see 1991, p.65)

NOTTING HILL COUPON (071-27 6705)

ODYSSEY: KAREN'S STORY (15) (see 1991, p.66)

Leicester Square (0455 915828)

Screen on the Green (071-225 3320)

Whitley (071-930 3323)

THE BRIDGE (12) Vivid British costume drama about a Victorian wife's summer affair, from Mervyn Peake's Hemingway. With Saskia Reeves, David O'Hara. Director: Syd McCarney. **London** (071-270 2838), **Haymarket** (071-888 5271), **Tottenham Court Road** (071-576 8148), **MGM** (0281 7043 0031)

HELLO, HEMINGWAY: Young girl's problems with education and family in Havana, 1895. Refreshing, bitter-sweet Cuban drama, director: Fernando Perez. **ICA Cinema** (071-930 3847).

LIEBESSTRAUM (18+) Mike Figgis's dark, wild tale of love, death and cast-iron architecture. Intoxicating at first, but years of sleep in Stasis. **Karen's Story** (see 1991, p.65)

Cannons: Fulham Road (071-7036 8861) **MGM** (0281 7043 0031)

WITCELYA LA VIE (18) Time-hopping adventure of two mischievous girls. **Charlotte's Web**, **Arabesque**, **Grindelia**. Strained variation on Bertrand Blier's *Fistful*, *Les Vaillantes*.

Camden Plaza (071-465 2443)

London Cinema (071-351 3742/3743)

Lumière (071-835 0891)

♦ **YEAR OF THE GUN** (18) Techies, who'd never heard of the Red Brigade, let alone Andrew McCarthy, Sharon Stone, director: John Frankenheimer. **Cannons**: Haymarket (071-839 1827) **Oxford Street** (071-630 0310).

♦ **BECKETT:** Revising performances from Delacorte, with Roger Liddle-Arnold's play on the relationship between Thomas & Becket and Henry II. **Theatre Royal**, Haymarket, SW1 (071-830 8000). Mon-Sat, 7.30pm, mats Wed. Sat, 3pm, 10.30pm.

♦ **THE CAVEMAN MINISTER** (18) Rhinoceros and *Man and Superman* in a scrubbed-up, unfunny Pre�� comedy. **Albert**, St Martin's Lane, WC2 (071-887 1116), Tues, 10.30am, 7.30pm, mats Wed. Sat, 3pm, 10.30pm.

♦ **A CHRISTMAS CAROL:** Old fashioned, une-cringy version of Scrooge's old night-out. **Ron Pember** (071-480 0000). **Sadler's Wells**, Rosebery Avenue, EC1 (071-278 8916). Tues, 10.30am, 7pm, Fri, 7pm, Sat, 2.30pm and 7pm, Sun, 2.30pm and 6pm. 120mins.

♦ **DANCING AT LUGHNASA:** Bravura, quirky, well-crafted dancing memory-set, in 1930s Donegal, returns with a new cast. **Garrick**, Charing Cross Road, WC2 (071-484 5088). Mon-Sat, 8pm, mat. 8pm, Sun, 4pm, 10.30pm.

♦ **A DYSBURG FOR TWO:** People, like us, who play many roles in their Kodak-like lives of supernatural. Accomplished, intense **Hampstead**, Swan Cottage Centre, NW3 (071-722 8301). Mon-Sat, 8pm, Sat, 4pm, 6pm.

♦ **AM EVENING WITH GARY LINNEXES:** Sometimes draft looks at the women married to a soccer nut. **Duchess**, Catherine Street, London WC2 (071-494 5075). Mon-Thurs, 8pm, Fri, Sat, 8pm, mat. 8pm, 10.30pm.

♦ **THE CHIOLI CONCERT:** Barry Foster is obsessed with making an inauthentic woman married to a soccer nut. **Duchess**, Catherine Street, London WC2 (071-494 5075). Mon-Thurs, 8pm, Fri, Sat, 8pm, mat. 8pm, 10.30pm.

♦ **THE MARVELLOUS BOY:** Public Paris take a quizzical look at the Bristol

CINEMA GUIDE

Geoff Brown's assessment of films in London and where indicated with the symbol ♦ on release across the country.

CURRENT

♦ **THE ADDAMS FAMILY** (PG) Test fest of black humour. Inspired by the 1960s TV spin-off from Charles Addams' macabre cartoons. Starring Raul Julia, Anjelica Huston, Christopher Lloyd, director: Barry Sonnenfeld. **Commonwealth**: Fulham Road (071-914686) **Odeon: Kensington** (0426 914686) **Odeon: West End** (0426 915741) **Whitley** (071-932 3322)

♦ **THE COMMITMENTS** (15) Hard-boiled young adults form a soul band. Fresh, funny, and buoyantly perky. A laudable ensemble cast. Director: Alan Parker. **Camden Parkway** (071-267 7034)

Cannons: Fulham Road (071-7036 8861) **MGM** (0281 7043 0031)

DEADLY HAMMERS: Young girl's problems with education and family in Havana, 1895. Refreshing, bitter-sweet Cuban drama, director: Fernando Perez. **ICA Cinema** (071-930 3847).

LIEBESSTRAUM (18+) Mike Figgis's dark, wild tale of love, death and cast-iron architecture. Intoxicating at first, but years of sleep in Stasis. **Karen's Story** (see 1991, p.65)

WITCELYA LA VIE (18) Time-hopping adventure of two mischievous girls. **Charlotte's Web**, **Arabesque**, **Grindelia**. Strained variation on Bertrand Blier's *Fistful*, *Les Vaillantes*.

Camden Plaza (071-465 2443)

London Cinema (071-351 3742/3743)

Lumière (071-835 0891)

♦ **YEAR OF THE GUN** (18) Techies, who'd never heard of the Red Brigade, let alone Andrew McCarthy, Sharon Stone, director: John Frankenheimer. **Cannons**: Haymarket (071-839 1827) **Oxford Street** (071-630 0310).

♦ **BECKETT:** Revising performances from Delacorte, with Roger Liddle-Arnold's play on the relationship between Thomas & Becket and Henry II. **Theatre Royal**, Haymarket, SW1 (071-830 8000). Mon-Sat, 7.30pm, mats Wed. Sat, 3pm, 10.30pm.

♦ **THE CAVEMAN MINISTER** (18) Rhinoceros and *Man and Superman* in a scrubbed-up, unfunny Pre�� comedy. **Albert**, St Martin's Lane, WC2 (071-887 1116), Tues, 10.30am, 7.30pm, mats Wed. Sat, 3pm, 10.30pm.

♦ **A CHRISTMAS CAROL:** Old fashioned, une-cringy version of Scrooge's old night-out. **Ron Pember** (071-480 0000). **Sadler's Wells**, Rosebery Avenue, EC1 (071-278 8916). Tues, 10.30am, 7pm, Fri, 7pm, Sat, 2.30pm and 7pm, Sun, 2.30pm and 6pm. 120mins.

♦ **DANCING AT LUGHNASA:** Bravura, quirky, well-crafted dancing memory-set, in 1930s Donegal, returns with a new cast. **Garrick**, Charing Cross Road, WC2 (071-484 5088). Mon-Sat, 8pm, mat. 8pm, Sun, 4pm, 10.30pm.

♦ **THE MYSTERIE DE MARIA**: Welcome return of M. O'Leary's eccentric detective scenes re-enacting a famous 19th-century murder case. **Warehouse**, Denmark Road, East Croydon (081-880 4060) Tues-Sat, 8pm, 10.30pm.

♦ **PHANTOM OF THE OPERA:** Gleeful version of the old定时儿 tunes. **Lyric**, Hammersmith and Westminster but not Lloyd-Webber. **Shakespeare**, Shaftesbury Avenue, WC2 (071-379 5389). Mon-Fri, 8pm, Sat, 8.30pm, 10.30pm.

♦ **THE RIDE DOWN MT MORGAN:** Arthur Miller's disappointingly one-note play where Tom Conti argues with his son about his wife's infidelity. **Wyndham's**, Charing Cross Road, WC2 (071-987 1161). Tues, 7.30pm, mat. Thurs, 2.30pm, 5pm. 100mins.

♦ **THE SEA:** Judi Dench splendid as the village grande-dame in revival of West End **Theatre**

THEATRE GUIDE

Jeremy Kingston's assessment of current theatre in London

■ House full, returns only

■ Some seats available

■ Seats at all prices

predy, Thomas Chatterton good performances in a jumbled play

■ MURMURING LADIES: David

gives his last roar in a rotting legal system, gripping the contest but a powerful

bou.

National (0181), South Bank, SE1 (071-928 2252) Tonight 7.30pm, and tomorrow, Sat, 8pm, 10.30pm.

■ SOPHISTICATED LADIES: Twelve

singer-dancers whirl through the music of Duke Ellington. Obscene routines

cannot disguise the true ruffe, Duke, Ellington, 1930s, 1940s, 1950s

■ SWELL TYPHOON: Four singers

have panache in kleeky tribute to Cole

Perry's wit and wiles. **Vaudeville**, The Strand, WC2 (071-938 0297) Tues-Sat, 8pm, 10.30pm.

■ A TRIBUTE TO THE BLUES: Eighteen bluesy parades of tuneful

good fun. **Whitehall**, SW1 (071-967 1119) Mon-Thurs, 8.15pm, Fri, Sat, 8.30pm, 10.30pm and 12.30am.

■ THE CHANCE MAN IN THE MOON, Chelsea

■ LONG RUNNERS: Aspects of Love: Prince of Wales (071-929 5672)

■ BLOOD BROTHERS: Phoenix

1971-81, based on Stoppard's *Amadeus* but with a more

modern twist. **Lyric**, Hammersmith (071-944 5100) Tues, 8pm, Sat, 8.30pm, 10.30pm.

■ THE CELESTINE SYNDROME: Love,

grief and裁裁 make an explosive

mix in this new play by Nick Suttor

in the lead. The play begins previews tonight and opens on Friday.

■ THE CLOUDS: **Lyric**, Hammersmith (071-944 5228) Tues-Sat, 8pm, mat. Sat, 4pm, 6pm.

■ THE GIGLI CONCERT: Barry

Foster is obsessed with making an inauthentic woman married to a soccer nut. **Duchess**, Catherine Street, London WC2 (071-494 5075). Mon-Thurs, 8pm, Fri, Sat, 8pm, mat. 8pm, 10.30pm.

■ THE HAMMER HORNS: **Lyric**, Hammersmith (071-944 5228) Tues-Sat, 8pm, mat. Sat, 4pm, 6pm.

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6.00 Cestax (65004)
6.30 **ABC Breakfast News** begins with **Business Breakfast** until 6.55 when Nicholas Witchell and Jim Dando present news and topical reports with regular business, sport, weather, regional news and travel bulletins (603/0733).
9.05 **Kinky**, Robert Kirby-Silk chairs a studio discussion on the career of the "designer" drug Ecstasy (4790645). **9.30 Hot Chicks**, Gove Howe from the Lygon Arms, Broadway, prepares a Cheesecake and apple tart (255795).
10.00 **News, regional news and weather** (10.05 Playdays). For the very young (s) (345551) 10.25 **Plings**, Animated adventures of a clumsy young penguin (r) (210375). **10.45 No Kidding**, Family quiz game show hosted by Mike Smith with Kate Copstick (s) (123743).
11.00 **News, regional news and weather** (2245191). **11.45 Whales**, Gemma Ferguson introduces highlights from the Natural History Unit archives (784375).
11.30 People Today, With Adrian Mills, Deb Jones and Miriam Stoppard. Includes news, regional news and weather at 12.00 (s) (630153).
12.20 Pebble Mill, Music and chat presented by Judi Spiers (977915).
1.00 One O'Clock News and weather (1989).
1.30 Neighbours, (Cestax) (s) (4127126). **1.50 Going for Gold**, Wholesome Henry Kelly presents another round of the general knowledge quiz game with European contestants (47671202).
2.15 Film: They Won't Believe Me (1947), starring Robert Young and Susan Hayward. Engrossing courtroom drama, told in flashback, about a Wall Street stockbroker whose causal affair with his partner's secretary leads to her death and his arrest for his wife's murder. Directed by Irving Pichel (r) (10665).
3.50 Joshua Jones, Animation (4.00) **The New Yogi Bear Show**, Cartoon series (r) (1820240). **4.15 Christmas**, Christine Colman with part two of **Mighty Birds on Nantucket**, by John Alcock (983864). **4.25 Fantastic Max**, Cartoon (r) (1840375). **4.35 Iggy Fazit**, James Darren explores the causes of pressure and teams how to cope with it (2233627).
5.00 Newsworld (1799578). **5.10 Grange Hill**, School drama serial (Cestax) (s) (7842940).
5.35 Neighbours, (Cestax) (s) (291982). Northern Ireland: Inside Ulster.
6.00 Nine O'Clock News with Peter Sissons and Anna Ford. (Cestax) Weather (511).
6.30 Regional News Magazines (191) Northern Ireland: **Neighbours**.
7.00 Holiday presented by Annelise Rice. Ross King reports from Barcelona, the venue for this year's Olympic Games, and Kathy Taylor samples a holiday on a Derbyshire farm. Plus the launch of the **Holiday/Radio Times** competition (2337).
7.30 Eastenders, (Cestax) (s) (375).
8.00 The Fall and Rise of Reginald Perrin, David Nobbs' classic comedy starring Leonard Rossiter. As word of Reggie's retreat spreads the tricke of visitors becomes a flood (r) (Cestax) (1055).



Opposing teams: Graham Gooch and Liz McColgan (8.30pm)

8.30 A Question of Sport presented by David Coleman. This week Ian Botham and Bill Beaumont are joined by Frank Bruno, Liz McColgan, Graham Gooch and Jo Durie. (Cestax) (s) (3820).
9.00 Nine O'Clock News with Michael Buerk. (Cestax) Regional news and weather (6064).
9.30 Spender, Drama series starring Jimmy Neil as an unorthodox undercover policeman in this episode working in a glass factory to keep an eye on a suspected armed robber when a vicious gang war breaks out. (Cestax) (s) (648948). **10.00 News and weather**.

10.25 Film 92 with Barry Norman. Among the films reviewed are *Frannie and Johnny*, *Billy Bathgate* and *Little Man Tate*. The guests are award-winning film makers Joel and Ethan Coen (s) (718578).
10.55 Film: Compromising Positions (1985) starring Susan Sarandon and Raúl Julia. Mystery comedy, based on the novel by Susan Isaacs, about a one-time newspaper reporter, now a bored housewife, who decides to live up her life by investigating the murder of a philandering dentist. Directed by Frank Perry (4922626).
12.30am Weather (0703361) Wales: Film 92. **1.00 News and weather**.

8.00 Entertainment News (1419172). **8.15 Westminster**, A round-up of business from both Houses (1409795).
8.30 Antiques at Home, Michael Newman visits A la Ronde, a circular country house which was conceived and built by two spinster sisters in 1790 (r) (94822).
8.45 Daytime on 2, Educational programmes (7872085).
9.00 News and weather (1856172) followed by **You and Me** (r) (7008606).
9.15 In the Garden, Dennis Compton with advice on what is to be done in the garden during January (r) (7008230).
9.30 See Heat Magazine series for the hearing impaired (r) (424).
9.45 Daytime on 2, Educational programmes (7872085).
10.00 News and weather (6883843) followed by **Westminster Live**, introduced by Vivian White (6883820). **3.58 News**, regional news and weather (6843085).
10.45 Catchwater, Fast-moving word game hosted by Paul Cole (284).
11.00 A Little Place of England, Sir Anthony Quayle narrates the story of a peacock's fight to preserve his crumbling ancestral home in Avon (r) (285).
5.00 Behind the Headlines, With Robert Robinson and Loyd Grossman. The guests are Germaine Greer and Carol Thatcher (3443).
5.30 Old Garden, New Gardener, Geoff Hamilton and Gay Search with advice for the novice gardener (r) (Cestax) (240).
6.00 Film: Uncle Tom's Cabin (1867) starring Avery Brooks, Phylicia Rashad and Bruce Dern. A made-for-television version of Harriet Beecher Stowe's classic novel about the courageous Uncle Tom who risks his life to help other slaves obtain freedom. Directed by Stan Lathan (58522288).
7.50 Learning to Fail.
C-CHOICE: Taking up the theme of last week's contribution from Sir Claus Moser, the two-part entry into British education concludes by looking at why so many children leave school at 16 feeling that the system has failed them. International comparisons are instructive. In Germany 83 per cent of youngsters are still in full-time education at 18, in France 69 per cent. The British figure is 36 per cent. The British system is blamed to the Olympic Games, which dreams of the best and leaves the rest as spectators. The analogy for continental countries is the London Marathon, an endurance race between nations with no losers. An instructive and non-partisan analysis is underpinned by a survey in which British children reveal why they leave school early and report on the very different educational philosophies of France and Germany (153249).

8.30 Food and Drink, Healthy school meals come under the microscope; Antonio Carluccio dines sumptuously with Egon Ronay in Budapest; and there is a recipe for pasta with a rich Mediterranean fish sauce (s) (1482).
9.00 Quantum Leap, Starring Scott Bakula as a time-travelling scientist, in this episode he enters the world of the supernatural when he becomes a university ghostbuster assigned to protect a young woman from the deranged spirit of her late husband. (Cestax) (s) (85785).
9.30 60 Minutes: When the Cameramen Stop Singing.
C-CHOICE: They could be mistaken for a bunch of nutters. There is the woman who always sleeps out of doors, even in the middle of winter. There is a man dressed only in white cotton solemnly hanging his mail on the washing line to get rid of the chemical fumes from the type. There are people who go shopping with masked faces and oxygen tanks. They are among the first victims of a newly recognised illness, brought on by contact with chemicals in the everyday environment. In an Edington film report from the US, Tom Jackson in which sufferers are settled in the hope of finding relatively clean air. The evidence of environmental illness seems tangible enough. Symptoms include asthmatic attacks, pounding hearts, skin rashes and blurred vision. Yet the local doctor is surprised and talks of black magic. (Cestax) (s) (60626).

10.30 Newsnight presented by Jeremy Paxman (511153).
11.15 The Late Show, Includes an item on the key role played by PR agencies in Kuwait in the run-up to the Gulf conflict (511958).
11.45 Behind the Headlines (r) (485004). **12.35am Weather** (5133592).

1.00 A Question of Sport presented by David Coleman. This week Ian Botham and Bill Beaumont are joined by Frank Bruno, Liz McColgan, Graham Gooch and Jo Durie. (Cestax) (s) (3820).
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12.30am Weather (0703361) Wales: Film 92. **1.00 News and weather**.

1.30 2.30am News and Headlines (5132515). **2.30am Weather** (5132515).

3.00 Music Weekly (5132515). **3.30am News and Headlines** (5132515). **3.30am Weather** (5132515).

3.45 Radio 1 (5132515). **4.00 Radio 2** (5132515). **4.15 Radio 3** (5132515). **4.30 Radio 4** (5132515). **4.45 Radio 5** (5132515). **5.00 Radio 6** (5132515). **5.15 Radio 7** (5132515). **5.30 Radio 8** (5132515). **5.45 Radio 9** (5132515). **5.55 Radio 10** (5132515). **6.00 Radio 11** (5132515). **6.15 Radio 12** (5132515). **6.30 Radio 13** (5132515). **6.45 Radio 14** (5132515). **6.55 Radio 15** (5132515). **7.00 Radio 16** (5132515). **7.15 Radio 17** (5132515). **7.30 Radio 18** (5132515). **7.45 Radio 19** (5132515). **7.55 Radio 20** (5132515). **8.00 Radio 21** (5132515). **8.15 Radio 22** (5132515). **8.30 Radio 23** (5132515). **8.45 Radio 24** (5132515). **8.55 Radio 25** (5132515). **9.00 Radio 26** (5132515). **9.15 Radio 27** (5132515). **9.30 Radio 28** (5132515). **9.45 Radio 29** (5132515). **10.00 Radio 30** (5132515). **10.15 Radio 31** (5132515). **10.30 Radio 32** (5132515). **10.45 Radio 33** (5132515). **10.55 Radio 34** (5132515). **11.00 Radio 35** (5132515). **11.15 Radio 36** (5132515). **11.30 Radio 37** (5132515). **11.45 Radio 38** (5132515). **11.55 Radio 39** (5132515). **12.00 Radio 40** (5132515). **12.15 Radio 41** (5132515). **12.30 Radio 42** (5132515). **12.45 Radio 43** (5132515). **12.55 Radio 44** (5132515). **1.00 Radio 45** (5132515). **1.15 Radio 46** (5132515). **1.30 Radio 47** (5132515). **1.45 Radio 48** (5132515). **1.55 Radio 49** (5132515). **1.55 Radio 50** (5132515). **2.00 Radio 51** (5132515). **2.15 Radio 52** (5132515). **2.30 Radio 53** (5132515). **2.45 Radio 54** (5132515). **2.55 Radio 55** (5132515). **2.55 Radio 56** (5132515). **3.00 Radio 57** (5132515). **3.15 Radio 58** (5132515). **3.30 Radio 59** (5132515). **3.45 Radio 60** (5132515). **3.55 Radio 61** (5132515). **3.55 Radio 62** (5132515). **4.00 Radio 63** (5132515). **4.15 Radio 64** (5132515). **4.30 Radio 65** (5132515). **4.45 Radio 66** (5132515). **4.55 Radio 67** (5132515). **5.00 Radio 68** (5132515). **5.15 Radio 69** (5132515). **5.30 Radio 70** (5132515). **5.45 Radio 71** (5132515). **5.55 Radio 72** (5132515). **6.00 Radio 73** (5132515). **6.15 Radio 74** (5132515). **6.30 Radio 75** (5132515). **6.45 Radio 76** (5132515). **6.55 Radio 77** (5132515). **7.00 Radio 78** (5132515). **7.15 Radio 79** (5132515). **7.30 Radio 80** (5132515). **7.45 Radio 81** (5132515). **7.55 Radio 82** (5132515). **8.00 Radio 83** (5132515). **8.15 Radio 84** (5132515). **8.30 Radio 85** (5132515). **8.45 Radio 86** (5132515). **8.55 Radio 87** (5132515). **9.00 Radio 88** (5132515). **9.15 Radio 89** (5132515). **9.30 Radio 90** (5132515). **9.45 Radio 91** (5132515). **9.55 Radio 92** (5132515). **10.00 Radio 93** (5132515). **10.15 Radio 94** (5132515). **10.30 Radio 95** (5132515). **10.45 Radio 96** (5132515). **10.55 Radio 97** (5132515). **11.00 Radio 98** (5132515). **11.15 Radio 99** (5132515). **11.30 Radio 100** (5132515). **11.45 Radio 101** (5132515). **11.55 Radio 102** (5132515). **12.00 Radio 103** (5132515). **12.15 Radio 104** (5132515). **12.30 Radio 105** (5132515). **12.45 Radio 106** (5132515). **12.55 Radio 107** (5132515). **1.00 Radio 108** (5132515). **1.15 Radio 109** (5132515). **1.30 Radio 110** (5132515). **1.45 Radio 111** (5132515). **1.55 Radio 112** (5132515). **2.00 Radio 113** (5132515). **2.15 Radio 114** (5132515). **2.30 Radio 115** (5132515). **2.45 Radio 116** (5132515). **2.55 Radio 117** (5132515). **3.00 Radio 118** (5132515). **3.15 Radio 119** (5132515). **3.30 Radio 120** (5132515). **3.45 Radio 121** (5132515). **3.55 Radio 122** (5132515). **4.00 Radio 123** (5132515). **4.15 Radio 124** (5132515). **4.30 Radio 125** (5132515). **4.45 Radio 126** (5132515). **4.55 Radio 127** (5132515). **5.00 Radio 128** (5132515). **5.15 Radio 129** (5132515). **5.30 Radio 130** (5132515). **5.45 Radio 131** (5132515). **5.55 Radio 132** (5132515). **6.00 Radio 133** (5132515). **6.15 Radio 134** (5132515). **6.30 Radio 135** (5132515). **6.45 Radio 136** (5132515). **6.55 Radio 137** (5132515). **7.00 Radio 138** (5132515). **7.15 Radio 139** (5132515). **7.30 Radio 140** (5132515). **7.45 Radio 141** (5132515). **7.55 Radio 142** (5132515). **8.00 Radio 143** (5132515). **8.15 Radio 144** (5132515). **8.30 Radio 145** (5132515). **8.45 Radio 146** (5132515). **8.55 Radio 147** (5132515). **9.00 Radio 148** (5132515). **9.15 Radio 149** (5132515). **9.30 Radio 150** (5132515). **9.45 Radio 151** (5132515). **9.55 Radio 152** (5132515). **10.00 Radio 153** (5132515). **10.15 Radio 154** (5132515). **10.30 Radio 155** (5132515). **10.45 Radio 156** (5132515). **10.55 Radio 157** (5132515). **11.00 Radio 158** (5132515). **11.15 Radio 159** (5132515). **11.30 Radio 160** (5132515). **11.45 Radio 161** (5132515). **11.55 Radio 162** (5132515). **12.00 Radio 163** (5132515). **12.15 Radio 164** (5132515). **12.30 Radio 165** (5132515). **12.45 Radio 166** (5132515). **12.55 Radio 167** (5132515). **1.00 Radio 168** (5132515). **1.**

BCCI case decision expected

By NEIL BENNETT
BANKING CORRESPONDENT

THE Bank of Credit and Commerce International (BCCI) is expected to be placed in formal liquidation in the High Court in London today as negotiations continue between Touche Ross, the bank's administrator, and the Abu Dhabi government over a \$4 billion settlement for its depositors.

The bank went into official liquidation in Luxembourg, where it is registered, at the beginning of the year, and is now likely to be wound up in most of the 70 countries where it once operated.

The liquidation was first proposed by the Bank of England last July, but was postponed to allow Touche to try to negotiate a rescue or compensation package with the Abu Dhabi government, the bank's 77 per cent shareholder. If a deal is agreed, the first payment of 10p in the pound could be made next year.

A High Court liquidation order will trigger the Bank of England's compensation scheme, paying 75 per cent of deposits up to £15,000. Many of BCCI's British depositors have already been compensated by a scheme funded by the Abu Dhabi government.

Jacques Vert falls £1m into losses

By GILLIAN BOWDITCH

SHARES in Jacques Vert, the ladies fashion group, fell 40 per cent to 116p after the group surprised the City with news of a £125,000 half-year loss against profits of £1.2 million. Sashi Mylaganam, finance director, is on suspended leave and the interim dividend is halved to 2p.

David Tiedeman, managing director, said the situation regarding Mr Mylaganam was in the hands of the company's solicitors and he was constrained as to what he could say about the matter but emphasised there was no question of personal or criminal malpractice involved.

Mr Tiedeman said the first of the company as a whole knew of the extent of the trading position was at a meeting where a detailed report of the interim results was given. Jacques Vert has brought in an outside accountant to investigate the financial position but the group does not expect any further surprises.

Sales for the six months to October 26 fell 2.6 per cent to £19.7 million and the loss per share is 0.8p compared with earnings of 8.1p. Jack Cynamon and Alan Green, the joint chairmen, have waived their entitlement to a dividend on the 57.9 per cent of the shares they own. As a result, the dividend payment will absorb only £80,000.

The £100,000 loss was made up of £1.01 million reduction in gross profit, a £490,000 increase in overheads and a £140,000 reduction in net interest payable that fell to £368,000.

The fall in gross profit is partly due to lower sales and partly to a 3.9 percentage point fall in the gross margin to 39.5 per cent. The group says the fall in both gross and sales margins reflects extremely tough high street conditions since March 1991.

Mr Tiedeman said the group expected to break even for the year as a whole and was operating comfortably within its banking facilities. Gearing has fallen from 65 per cent to 51 per cent.



Hands full: Jack Cynamon (right) and Alan Green

Trinity to sell paper division

By MARTIN BARROW

TRINITY International Holdings, a regional newspaper publisher, is selling its paper and packaging division to Danish Paper Packaging for about £27 million.

The disposal will enable the group, which is based in Chester, to concentrate on newspaper publishing in Britain and North America. Last month, Trinity was one of four potential bidders for Southern Newspapers to withdraw its interest despite trade department clearance.

Trinity has two paper mills at Bolton and Bury, Greater Manchester, and packaging plants at Stoke on Trent, Grimsby and Sandy, Bedfordshire. These are expected to contribute profits of about £3.5 million in 1991.

David Snedden, Trinity's chief executive, said: "To stay where we were, in terms of market share, would have needed a considerable amount of capital investment. The outlook for getting a decent return on it was not promising."

Cash from the disposal will be used to strengthen the balance sheet. The company said it was still looking for acquisitions in the newspaper sector.

HongkongBank in Euro-venture talks

HONGKONG and Shanghai Banking Corporation is in talks with leading continental banks to establish a joint venture and increase its presence in Europe. The bank has denied, however, that it is planning to sell its 14.9 per cent stake in Midland Bank.

HongkongBank bought the stake in Midland in 1987, but called off merger talks in December 1990, when the extent of Midland's financial problems became clear. At the time HongkongBank said it would remain a long-term investor in Midland, and William Purves, the corporation's chairman, remains on Midland's board. HongkongBank would suffer a loss of more than £100 million if it sold the stake on the open market today.

Real Time slows 23%

REAL TIME Control, the computer keyboard and electronic-point-of-sale equipment group, suffered a 23.3 per cent drop in pre-tax profits to £507,000 in the 26 weeks to end-September. Turnover fell 31 per cent to £3 million, although the Watford group blames this decline on the timing of deliveries from year to year. In America business levels remained depressed and a small loss was sustained. The company said it has entered the second half with a good order book. Earnings slip from 6.1p to 4.9p per share. As usual, there is no interim dividend. The USM-quoted shares eased 3p to 96p.

Lowe cuts loss

REDUCED gearing and better cost controls helped Robert H Lowe, the Cheshire leisure to babywear group, to reduce pre-tax losses from £453,000 to £297,000 in the year to end-October, on turnover of £34 million, up from £33.6 million. Trading profit doubled from £603,000 to £1.23 million. Gearing was halved to 97 per cent and interest payments dropped from £1.86 million to £1.53 million. The loss per share rises from 9.1p to 11.2p, and there is again no interim dividend. The shares were unchanged at 10p.

Dalepak raises payout

DALEPAK Foods, the frozen food producer, is raising its interim dividend from 1.2p to 1.5p after its first-half pre-tax profits soared from £1.2 million to £1.71 million in the six months to end-October. Earnings jump 45 per cent to 10.13p per share. Turnover edged up from £21.1 million to £21.2 million, mostly provided by the two main frozen food businesses — Dalepak and Fawcets. The company said the annual results were expected to show "another year of excellent growth". The shares firmed 2p to 280p.

Dakota stakes raised

THREE directors of Dakota Group, the Irish printing and packaging group quoted on the Unlisted Securities Market, have acquired 4.2 million shares in the company from David Galavan, the former chief executive, at 21p a share. The directors, Colm Kelleher, Brendan Mowles and William Carille, own 18 per cent of the company after the purchases. Mr Kelleher becomes the new chief executive.

Fletcher King dives

FLETCHER King, the commercial property agent, suffered a 75 per cent cut in interim pre-tax profits to £108,000 for the six months to end-October, from £433,000 previously. The interim dividend has been cut from 1.8p to 0.5p. David Fletcher, chairman, said it was still too early in the property cycle for him to be able to say that the worst is over.

Ford seeks higher UK productivity

By KEVIN EASON
MOTORING CORRESPONDENT

FORD'S senior European manufacturing executive has warned workers at the company's British car plants they must radically improve productivity as the business tries to recover from losses of more than £1 million each day.

Albert Caspers, Ford's European vice-president for engineering and manufacturing, called union leaders together to spell out an agenda for raising efficiency levels by as much as 30 per cent at the Dagenham, Essex, plant.

Ford's second big plant at Halewood on Merseyside has also been set new efficiency targets to try to equal productivity levels in the company's sister plants in Germany.

A Ford Fiesta takes Dagenham's 6,500 body and assembly workers about 46 hours to



Caspers: warned unions complete compared with 29 hours at Cologne. At Halewood, new quality targets have been set to allow Ford to export the Escort model, previously only built to satisfy demand in Britain.

Mr Caspers has ruled out closure of Dagenham as one option for Ford to cut its losses after a disastrous year in the worse British market for a decade. He is understood to have told unions Dagenham's performance must improve by leaps and bounds if the plant was to retain its position as one of the company's biggest European manufacturing centres.

There has been little respite for Ford during the recession of the past two years. After sinking to the first pre-tax loss for 20 years in 1990 of £274 million, last year sales fell by more than 121,000 cars, worth more than £900 million at showroom prices. Last year's loss is expected to exceed 1990's.

There was one triumph for Dagenham last year with exports rising to more than half of daily output of 1,180 Fiestas. The performance highlighted rapid quality improvements made at the plant which were enough to convince continental showrooms British-made cars were as good as those from Germany.

In spite of efficiency improvements, the two big British plants still lag well behind productivity in the rest of Europe. Figures compiled by Nikko Securities show workers at Rover and Peugeot are producing 14 cars per man per year, Volkswagen 12, but Ford UK only eight.

The scale of the task is underlined by Nissan's performance at its new factory at Washington, Tyne & Wear, where the figure is 75 cars per man annually.

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Bromsgrove makes £14m agreed bid for GW Thornton

BY MATTHEW BOND

BROMSGROVE Industries has launched a £14.6 million agreed bid for GW Thornton, the Sheffield engineering group that makes aerospace components and claims to be the world leader in the manufacture of components for artificial hip and knee joints.

Bromsgrove, the engineering conglomerate run by Bijan Sedghi, yesterday also announced the terms of a one-for-four rights issue that will raise £10.8 million after expenses.

The new shares have been priced at 105p and the issue has been underwritten by Albert E Sharp, the stockbroker. The proceeds will be used to reduce debt and to finance expansion and investment.

Bromsgrove's bid for Thornton was not a surprise, coming as it did less than a week after dealings in the shares of both companies were suspended at the same time. Yesterday, Thornton's

shares rose from the 150p suspension price to 203p, 3p above the cash alternative being offered to Thornton shareholders by Bromsgrove.

The terms of the share offer are seven new Bromsgrove shares for every four Thornton shares. With Bromsgrove shares returning from suspension 2p lower at 129p, the bid values each Thornton share at just above 216p.

Bromsgrove has irrevocable acceptances to its bid from shareholders controlling 54.5 per cent of Thornton's equity, including 44.5 per cent who are committed to the Bromsgrove offer even if a higher rival offer is made.

If all Thornton shareholders opt for the share offer, they will own around 20 per cent of the enlarged Bromsgrove group.

Mr Sedghi said the Thornton acquisition would fit well with Bromsgrove's specialist engineering businesses. It

takes Bromsgrove into the precision forging of renewable aerospace components for the first time, and also into medical engineering.

Last month, Bromsgrove paid £1.8 million for Imbach, which took the company into environmental engineering for the first time.

Thornton's strong overseas sales should lift the proportion of Bromsgrove's turnover earned overseas to approximately 40 per cent. Mr Sedghi said that his eventual target was for more than two-thirds of sales to come from overseas.

Mr Sedghi added that Bromsgrove's strategy had not changed: "Our strategy is to remain in the specialist engineering niche. We are very specialist and very much engineering."

Bromsgrove planned to pay a final dividend of 2.5p for the year to end-March, making a total of 4p (3.9p).

Strike threatens German steel

FROM REUTER IN FRANKFURT

GERMAN steelworkers are preparing for their first strike in more than a decade after the collapse of last-ditch pay talks with management yesterday.

The dispute is likely to set the tone for this year's round of wage talks, which are crucial for an economy bearing the burden of German unification.

IG Metall, the main steel industry union, which has been pressing for a pay rise of more than 10 per cent, rejected an offer of an average 5.2 per cent increase for the year from last October. Lorenz Brockhus, the chief union negotiator, said the union's board would meet today to set a date for a strike ballot. The steel industry has not been involved in a strike since 1978-9.

The union, seeking a 1.1 per cent rise in the base wage and a further 10.5 per cent on top, had threatened strike action before the failure of the last-ditch talks yesterday.

The management agreed in part to the 1.1 per cent basic rise, but said it was limited to lower-paid, blue-collar workers. The government and the

Ice lolly makers survive parent's cold shoulder

BY MARTIN WALLER

INDUSTRIAL archaeologists of the future will chance upon a rich haul if they excavate a small ice cream factory in Crossgates, Leeds. Their discovery, however, will paint an unhappy picture of business life in the late 20th century.

The foundation stone of the new £5 million Treats Ice Cream works was laid last week over a time capsule recording the events at Crossgates over the past year, which began with the attempted closure of the company by its erstwhile parent Unilever, the Anglo-Dutch food giant.

The shutdown was thwarted by a management buyout, at first opposed by Unilever. The traumatic events leading to the rescue are chronicled in a sheaf of press cuttings and quotations from the 350-strong workforce buried in the capsule.

The workers' comments on Unilever, its Birds Eye

Walls business that owned Treats, and Allan Price, the Birds Eye chairman who carried out the initial sentence of execution, are predictably trenchant. However, they provide an inside view of a depressingly common event: the closure by a remote multinational of a small plant providing a community with its main source of employment.

The book of quotations, compiled by the Yorkshire Arts Circus, details the campaign by the ice cream trade, the employers, the unions, the council and local representatives such as Denis Healey, the MP, and Michael McGowan, the Euro-MP for Leeds, to reverse the closure.

The decision to close a company with a £17 million turnover and £3 million of profit came because Birds Eye Walls felt it could not justify investing £5 million in a new factory to bring production up to European standards. The workforce took the view that the aim was to wipe out what was seen by Unilever as a competitor to its Walls ice cream brand.

The buyout plan, accepted two weeks after the announcement of the closure, involved two financial institutions guaranteeing the £5 million factory that Unilever had refused.

What comes out of the interviews with the workforce, most of them untrained in the ways of the multinational corporation, is the gulf between the man or woman on the ice lolly conveyor belt and the owner. One employee says: "I didn't even know I was part of Walls till they tried to kick us into touch."



Excalibur still sharp despite slump

BY PHILIP PANGALOS

FIRST-HALF profits at Excalibur Group, a company with activities ranging from jewellery to merchandising and engineering, held up relatively well, despite depressed conditions in many of its markets.

Pre-tax profits dipped from £2.05 million to £2.01 million in the six months to October 31, on turnover 9 per cent higher at £33.4 million. Exports accounted for nearly a fifth of sales and Michael Griffiths, Excalibur's chairman, expects them to grow further.

He said exposure to Rainiers the troubled high street jewellery chain, had not had an appreciable effect on the group.

Excalibur depends on Rainiers for only £4 million of annual sales, compared with a total of about £65 million.

Closure costs were largely responsible for an extraordinary charge of £993,000. Earnings slipped from 3.4p to 2.4p a share, but the interim dividend stays at 0.4p.

Mr Griffiths admitted that conditions were tough, although he said there were some "bright spots". Recovery would driven by an upturn in consumer spending. "We are not despondent," he said. "We are probably in the leanest shape since 1987."

Building designer is halted

BY JONATHAN PRYNN

SHARES in Company of Designers, the loss-making building design practice that is quoted on the Unlisted Securities Market, were suspended at 7p yesterday pending a financial reconstruction at the company.

The company has been struggling since 1989 when it was hit by a series of disastrous computer failures.

Last year, the company lost £2.5 million. At the interim stage in the current year a pre-tax loss of £317,000 was reported. A further announcement is expected from the company this week.

Company of Designers came to the stock market priced at 100p per share just after the market crashed in October 1987.

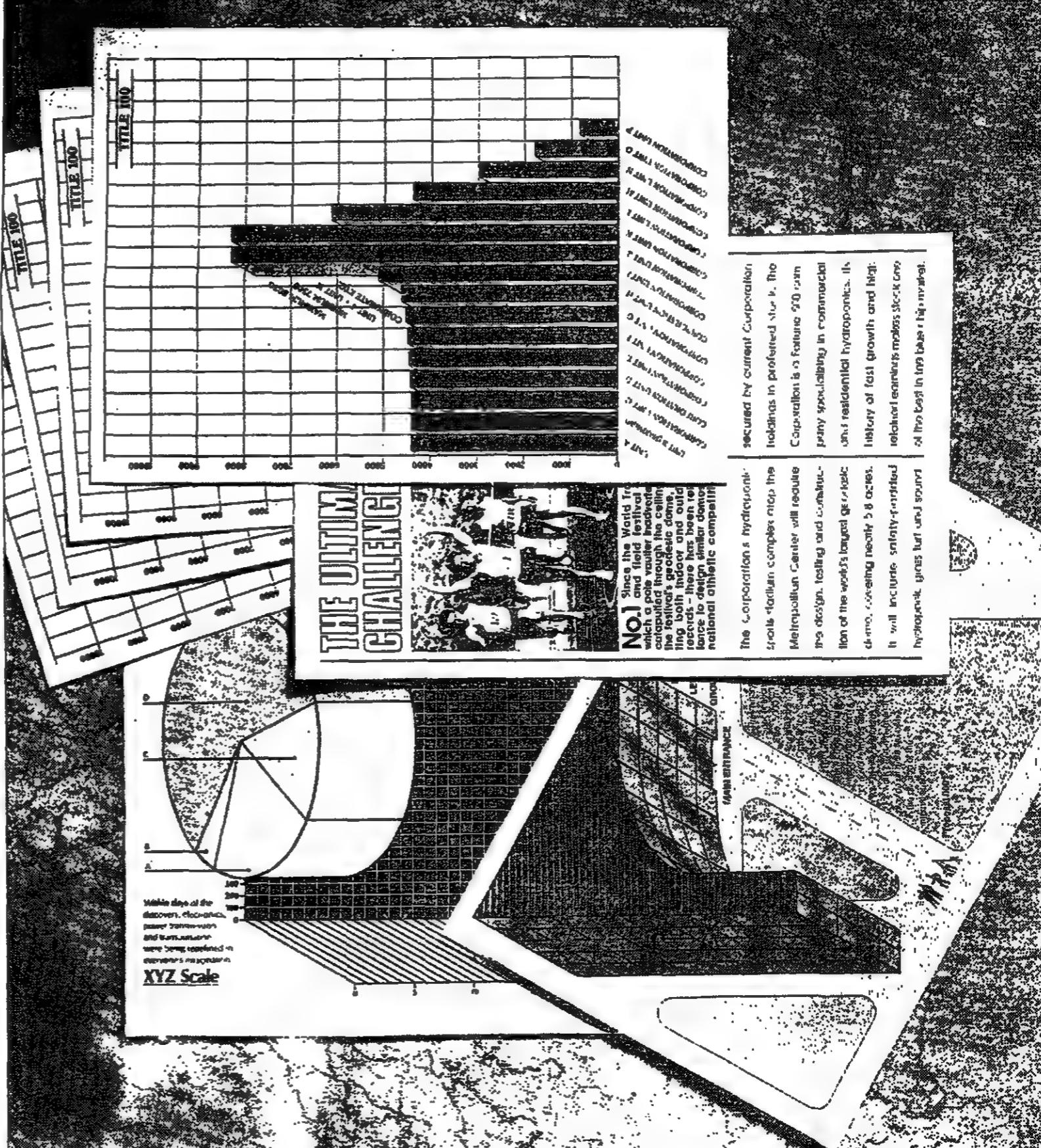
The company specialises in the supply of design services to the building industry, including architectural, consulting engineering and support services.

The small and diminishing design and architecture sector has been one of the hardest hit by the effects of the recession in the building industry.



Tough times: Michael Griffiths and his brother, Richard, who is managing director

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MADE REALITY.

US Navy order for Rolls

Rolls-Royce, the engine manufacturer, has won a contract worth up to \$120 million to help the American group Westinghouse develop a marine version of Rolls's successful RB211 gas turbine engine for US Navy surface ships.

The deal is worth \$160 million initially to both parties, with Rolls's share valued at \$67 million, but that figure could rise to \$120 million if all contract options are taken up. Most of the development work will take place at Rolls's Ansty factory near Coventry.

The marine version of the RB211, already used in a wide range of aircraft and as an industrial generator, is the core of a new advanced marine gas turbine propulsion system developed for the US Navy Sea System Command to power future naval surface ships. The new engine is said to offer 30 per cent fuel savings over existing systems.

The initial contract is for four years, with Westinghouse as prime contractor designing, manufacturing and testing two 26,400 bhp intercooled recuperated turbine engines. Contract options include full-scale development and qualification, technical data, training and engineering services.

A Rolls spokesman said it was not possible to identify how many jobs would be created by the contract, but it would help maintain development activity at current levels.

IBM contract

The consultancy and information technology firm Capita Group's computer services unit has signed a marketing deal with International Business Machines covering facilities management services for UK local authorities.

IBM will introduce Telecom Capita as its preferred supplier, provide exclusive support services and allow Capita access to its sales force.

Hawtin dips

Hawtin, the Cardiff leisure goods-to-property business, is raising its dividend from 0.825p to 0.86p a share, despite a dip in pre-tax profits from £1.54 million to £1.4 million in the year to end-September. Turnover was £27.4 million (£27.7 million). Earnings per share slip from 1.75p to 1.71p.

Brambles bid

Brambles Securities' £17.3 million cash bid for Security Archives has been declared unconditional with acceptances in respect of 96.02 per cent of the Security equity.

Antares sells

Antares Group is selling its Mynos offshoot to Dibaseal, the retailer, for a maximum of about £650,000.

STOCK MARKET

C&W gains from BT on talk of American interest

IT WAS a day of mixed fortunes for Britain's two big telephone operators as investors continued switching out of British Telecom and into Cable and Wireless.

BT finished the session 5p lower at 318p as the shares went ex the 7p interim dividend. The partly paid shares fell 6p to 114p. C&W, on the other hand, touched 600p with a rise of 11p as claims resurfaced that American Telephone and Telegraph wants to take a sizeable stake in C&W's Mercury telephone network.

Dealers say AT&T has been putting on the pressure for some time and would like a joint venture with Mercury.

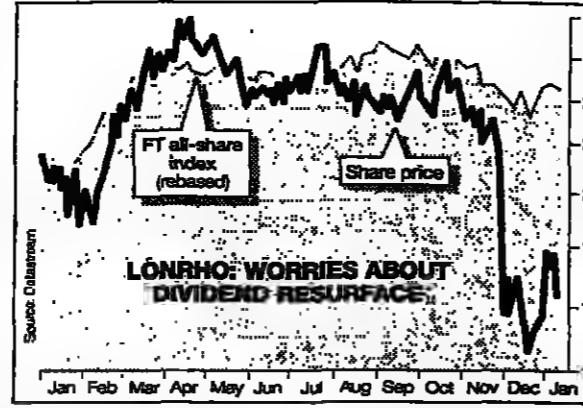
BT is now seen mainly by institutions as an income stock and is certain to lose some of its attraction during the ex-dividend period.

The rest of the market staged a 33-point turnaround as the new two-week trading account started. An opening markdown of 21 points, on the back of a dull overnight performance in Tokyo, was wiped out as American and Continental buyers appeared. That enabled the FT-SE 100 to end the session 12.2 points up at 2,490.1.

Trading conditions were described as dull; only 429 million shares were traded. Fund managers remain worried by the government's poor standing in opinion polls.

Government securities suffered a lacklustre session, because of worries about the pound's weakness. Prices at the longer end closed with losses of almost 1%.

Food manufacturers saw gains. United Biscuits rose 3p to 417p, Tate & Lyle 6p to 425p, Cadbury Schweppes 5p to 444p and Unilever 8p to 893p as fund managers continued to reflect on their takeover and trading pros-



LONHOF: WORRIES ABOUT DIVIDEND RESOURCES?

pects. Others found the going more difficult. Associated British Foods eased 2p to 445p and Unigate held steady at 269p. Both have been downgraded by Hoare Govett, the broker, along with Rank Hovis McDougall, 3p up at 239p. Hoare bases its revisions on the difficult trading conditions in baking and milling. Unigate is also finding the going difficult in its traditional areas of transport and dairy products.

Pearson, the conglomerate with interests ranging from the Financial Times,

Treat 3p to 303p, Southern 2p to 317p, Thames 5p to 337p, Welsh 5p to 348p, Wessex 9p to 377p and York 3p to 358p.

Lorraine, the international trading group headed by Tiny Rowland, remained dull, losing 12p to 164p. Last week's departure of Terry Robinson from the board shocked the City and has revived fears about the group's ability to maintain its dividend. Full-year figures, due soon, are expected to reveal a downturn in pre-tax profits from £273 million to £255 million.

Amber Day, the fast-growing discount store chain headed by Philip Green, found how vulnerable companies can be to bear raids. The shares tumbled 15p to 92p after anonymous telephone calls to the City offices of several newspapers. Analysts forecast that pre-tax profits in the current year will rise by 56 million to £16 million.

Lazard's, the merchant bank, Royal Doulton, Madame Tussauds and Penguin publishing, jumped 9p to 727p after dropping out of the bidding for the Daily Mirror.

The latest opinion polls unsettled the water companies, which remain sensitive to the threat of renationalisation. Heavy marking down was recorded from the outset. Anglia lost 4p to 335p, North West 4p to 338p. Severn

million as the group continues to feel the effects of recession in the UK, Europe and America. County NatWest WoodMac, the broker, believes the company has no choice but to cut the dividend by 4p to 12p.

Last week's flurry of activity that carried shares of Allied Lyons higher, to touch 710p, appears to have subsided; the price closed 7p lower at 650p. Dealers are sceptical of

the Nikkei index began sinking below Friday's close of 22,381.90 as soon as trading opened. After 21 minutes it moved below 22,000 for the first time this year. A short mid-afternoon recovery failed

to halt the slide. The index hit bottom, 784.95 points down, shortly before the close. The Nikkei was closed below 22,000 on December 24.

■ Hong Kong — Prices slipped amid sharply lower trading volume. Brokers said the main reasons were profit-taking on bank stocks, which have been strong recently, and worries about slow progress in trade talks between America and China. The Hang Seng index fell

23.01 points, to close at 4,325.91, while the broader Hong Kong index eased 15.33 to 2,823.19. Turnover tumbled to HK\$1.32 billion from Friday's HK\$2.15 billion.

■ Singapore — The Straits Times index closed 4.81 points lower at 1,483.26.

Brokers said the plunge in Tokyo's Nikkei index and the overnight fall on Wall Street overnight had undermined sentiment. (Reuters)

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Recycling liabilities

A community firms and other specialists in "green audits" must be rubbing their hands at the European Community's latest attempt at environmental bureaucracy. Whether or not the latest draft proposals from Brussels are an appropriate use of Community powers, they certainly look a neat way of forcing the financial community to take pollution seriously. If banks find themselves liable to stand behind their clients' clearing up bills on land or industrial assets, they will be extremely careful about lending to such projects. The message will be particularly clear in Britain, where the risk of ending up in possession of security on default is at the forefront of bankers' minds.

Even without the EC, the legal trend is clear from American experience. There remains an enormous difference between a European Commission draft and an EC directive, but chances are therefore that something embodying the principles will eventually become Community law. Before allowing that, governments should consider the way lenders are likely to behave. To start with, any Euro-legislation must not be retrospective. The last thing banks need at the moment is another source of losses or another excuse not to lend. Second, it must account for lenders' likely attempts to avoid the implications. Otherwise, new financial instruments will be set up to avoid liability and would-be borrowers would face the bizarre prospect of being offered money only on condition that there is no security, which would ultimately undermine banks in a different way.

Given the recent experience of insurers, such risks will be expensive to lay off. If loopholes are closed, there is therefore a threat to the level of funds available for many an industrial investment. Only after these implications have been thoroughly thought through should banks be set up in their attractive potential role as the Community's new environmental policemen.

Oil blip

There is nothing like political upheaval to upset oil price calculations. The price has been slipping steadily for months. Brent crude fell below \$22 a barrel at the end of October, passed \$21 a month later and, by last Thursday, had reached a ten-month low of \$16.85. Suddenly, the movement has gone into reverse, pushing the February price back up to \$17.81. Venezuela, unilaterally declared a modest cut in production to stem the downward tide ahead of an emergency Opec meeting, aimed at persuading some or all members to do likewise. The meeting, scheduled for February 12, has spawned judicious advance rumours of an agreement. On calls Algeria, one of the countries to call the meeting, has, however, provided a twelfth way of achieving higher prices, even though its stance is unlikely to be an immediate disruption to supplies.

The downturn of recent weeks reflected the failure of an expected hard winter to materialise. Instead, America has been basking in unusually mild weather. More basically, Saudi Arabia is reluctant to turn off the extra production it delivered to compensate for losses from Kuwait and Iraq since the Iraqi invasion. That policy has been echoed in other less important producing countries that now regard the extra revenue as vital for their economies. Price trends would have been much worse if Iraq and Kuwait had returned to the market at anything like their old levels and if the Russian pipeline was not rusting up. Low oil prices are just what America's economy needs for a short-term boost to consumers' spending power. Thus far, the \$1 a barrel rise in two days looks more like a blip than a change of trend.

THE TIMES

CITY DIARY

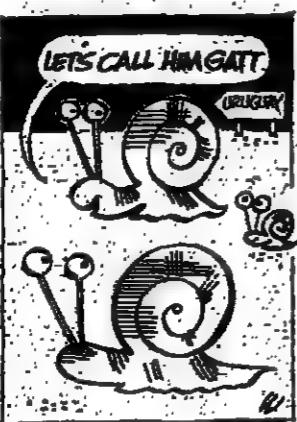
France takes option to retire

HARRY France, jovial head of Credit Suisse Asset Management and without whom London may never have had a traded options market, is retiring after 31 colourful years in the Square Mile. France, who joined Buckmaster & Moore as a dealer in 1961 and was made senior partner seven years later, sat on the committee that paved the way for the birth of a formal options market in 1978. "We were sent to Chicago and suggested a separate market for London," says France, aged 60, who was elected to the Stock Exchange council in 1974. "But there was a Labour government at the time, and prime minister Harold Wilson saw an options exchange as gambling with men's jobs." France, who lives in the Midlands, now plans to advise one or two local companies on the financial world. Angus Samuels took over as chief executive in September, and John Moore, a former cabinet minister, becomes chairman.

HEADLINE in the Dispatch, published in Gilroy, California: "Stocks fall amid interest rate worries."

Dollar strategy

BERKELEY Govett, the fund management house that is listed in London but reports in dollars, has strengthened its American image by poaching a top-ranked team from Continental Bank. John Hess, John Lowing and Ian Simpson were part of Continental's European placement team — a job that involved



designing customised investment packages for companies and will advise Berkeley Govett on investment strategy. It is thought to be the first time a fund manager has recruited such a team.

Offices to let

ON THE wrong side of City regulators? Now, at last, a chance to win their hearts forever. In a report on fees, published yesterday, the Securities and Investments Board lets slip that its largest single expense — office accommodation — remains a nasty thorn in its side. The SIB staff have been moved under one roof to bring costs down, but the regulator has been unable to let its former offices in the Royal Exchange for the four years of the lease that remain.

Real world analyst

MOST top-ranked analysts who switch to a rival firm do so within weeks of handing in their notice. It has taken Doug Hawkins four years. Hawkins, who ran James Capel's electricals team in the Eighties, is joining Smith New Court to fill the hole left

Consumers stand to win at the expense of investors under Labour

A Labour election victory would put pressure on the prices of privatised and popular shares, says Martin Waller

At the time of last year's "prawn cocktail" offensive in the City, the Labour party met the two Scottish electricity companies to talk about its plans for the privatised industry. Should the party achieve success in this year's general election.

The main plank of Labour's plans for electricity was the renationalisation of the national grid, giving the government control over the heart of the system, the delegation explained. The Scots, like the rest of the industry in Britain, would have to forego the large dividend payments from the national grid that have boosted profits since privatisation. However, there were no plans, Labour said reassuringly, for full-scale renationalisation.

The Scots then pointed out, as gently as possible, that the national grid stops at Hadrian's Wall and they have their own, entirely independent transmission system.

A Scottish power company official said: "They said, 'Oh, really?' looked a bit puzzled and went away again. We haven't heard from them since." The anecdote seems to confirm the view that politicians of any party are on happier ground with the broad policy statement than with the more precise approach.

The BT share sale last year was dominated by two linked uncertainties, regulatory and political. What pressure would the regulator of the industry put the company under in coming years, and what were the chances if you bought the shares, that a Labour government would change the goal posts or even buy them back a few months hence?

Clause four of Labour's constitution, which pledges common ownership, is open to interpretation, the party now says. Something of an embarrassment to the leadership, it is not much discussed these days by the researchers at Walworth Road.

Full renationalisation is not on the agenda. Buying all the utilities back at today's market prices would instantly wreck the incoming government's fiscal policy and financial credentials. Buying them back at the flotation price of £50p, against a current market price nearer £20p, would alienate the mass of Britain's 12 million private shareholders.

Until a couple of years ago, Labour's policy envisaged regaining control of such utility companies by stripping the voting rights from shareholders, who would continue to own the companies and receive dividends. That idea has also been dropped.

There is still one residual pledge of renationalisation: of the water industry. Even here, however, Labour has conceded that this would not happen in its first full term. The party's policy on the ten privatised water companies in England and



Watching day: (Clockwise from top left) the four utility regulators: Ian Bryant of Ofwat; Stephen Littlechild, Oftel; Sir Bryan Carsberg, Ofgas; and Sir James McKinnon, Ofgas



Gas and Ofgas. If rhetoric means anything, the price regime would be tougher under Labour. Water companies can expect to have to spend more on anti-pollution measures, and real dividend growth will be restricted. They can also expect reduced limits on the extent to which they can raise prices to the consumer to pay for new capital spending requirements. Regional electricity companies can look for much the same. The City expects tighter purse strings after an unfavourable review of the regulatory limits due in 1994-5. Recent moves by the regulators seem, however, to have anticipated Labour's desire to make the utility pipes squeak.

For British Gas and BT, a Labour regulatory body would concentrate on standards of service to the consumer, at the companies' expense. BT is already in Labour's bad books because of the chairman's salary and the large profits it generates as Britain's biggest corporation.

However, there is an argument for thinking a Labour government might not be the worst option. Fears over increased competition has held back the share price of British Gas and BT, which is under attack from Mercury, the Cable and Wireless offshoot, and local competition from cable companies.

Gas is under threat from the Office of Fair Trading, which wants to reduce the company's overwhelming share of the market for business customers and to hive off the distribution system to allow competitors easier access. The Monopolies and Mergers Commission may be called in at any moment.

Competition is unlikely to be as close to the top of Labour's agenda as it has been to that of the Tories, and it is possible that monolithic utilities may be left uninhibited by rivals, if not actually featherbedded as they were in the public sector. A company such as BAA might even benefit from Labour's desire to emulate the French policy of promoting national champions.

Such sanguine views are not shared by Laurence Heyworth, at Robert Fleming Securities, who believes Labour is more likely to sell the government's remaining 22 per cent stake in BT, which serves little useful purpose, and then allow the free market to do its work, within the framework of a regulatory system that Labour claims will offer the toughest price regime in Europe. Downward pressure on prices would be matched by upward pressure on BT's costs to achieve various Labour social and industrial objectives, all adding to pressure on profits.

For Gas, Ian Graham, at County NatWest, thinks Sir James is already doing a tough enough job for Labour's purposes. "If you are looking for stocks which would be hit under Labour, I wouldn't put Gas in there. It's unlikely it would be very much worse at all."

Any wholesale return to the public sector is unthinkable. A Labour government would none the less put pressure on the share prices of some of the country's most popular stocks.

BUSINESS LETTERS

Bad dreams for Lloyd's names

From Mr R.C. Dutton-Forsyth

Sir, All members of Lloyd's of London clearly understood when we joined that we might be in for every last penny. However, in our wildest dreams we never anticipated the present nightmare scenario, which is gradually bleeding so many people to death. I refer to the present forward Cash Calls that arrive with little or no warning, asking for payment within an extremely short time.

Yours faithfully,
R.C. DUTTON-FORSYTH,
Pillingham Lock Farm,
Pulborough, Sussex.

Rich pickings from high-flying debt

From Mr Basil Course

Sir, Creditors of Windsor Safari Park might take heart from the experience of the then Westminster Bank Brussels some years ago. The local court gave leave for the seizure of a debtor's assets. All he had of value was a collection of some 200 parrots, but when the bailiffs arrived they found that the birds had flown. About 100 of them had been driven away to the safety of Switzerland, the rest claimed diplomatic immunity chez the British military attaché who was unaware how his hospitality was being abused. Through the good offices of the Foreign Office

the birds were soon placed into the care of Antwerp Zoo.

In their new quarters they thrived, and so successful were their breeding activities, they covered their keep and repaid their former owner's debt including interest, legal fees and all other expenses.

Cork Gully may need to

subscribe, as we did in the bank, to appropriate specialist magazines for as long as the animals remain their responsibility and afterwards may dine out for years, as I did, on the full story.

Yours faithfully,
BASIL COURSE,
5 Orchard Way,
Kensington, Kent.

Two ways of emulating King Midas

From Mr D.K.L. Morgan

Sir, The heading to your feature on the Business Comment page ("High street Midas who lost his golden touch", January 7) was more apt than Gillian Bowditch appeared to realise. In view of Gerald Ratner's comments to the Institute of Directors on April 23, it is perhaps worth

remembering that the ancient legend of King Midas did not only refer to his golden touch. It also informed us that he had asses' ears — although it did not tell us what he had between them.

Yours faithfully,
D.K.L. MORGAN,
365 Maidstone Road,
Gillingham, Kent.



We take pleasure in announcing that the following have been elected Managing Directors

Equity Division

Richard G. Gould, III

Finance, Administration and Operations

David B. Gendron

Fixed Income Division

Anne F. Adamczyk

Erich H. Pohl

Investment Banking Division

Charles G. Stonehill

Morgan Stanley Asset Management

P. Dominic Caldecott

MORGAN STANLEY

effective January 1, 1992
subject to approval by the New York Stock Exchange, Inc.

25 Cabot Square, Canary Wharf, London E14 4QA, England

Drop in Tides

Portfolio

PLATINUM

Please refer to Portfolio Platinum card and check your portfolio share price movements on this page. Add them up to give you your total dividend figure. If it matches the one you've just obtained from Mif, then follow the cash procedure on the back of the card. Please leave your card available for collection at the counter or post it on the back of your card.

No.	Category	Group	Date or Date
1	MHM	Chemical Fibre	
2	Bell Petroleum	Oil Gas	
3	Times & Life	Foods	
4	Tele Systems	Electrical	
5	SOCO Group	Industrial	
6	Siemens	Drapery Stores	
7	Exide	Chemical Fibre	
8	Stalich	Industrial	
9	Blue Circle	Building Stores	
10	Miles	Electrical	
11	Whitbread	Industrial	
12	Hobart	Transport	
13	Timber Works	Building Stores	
14	Hong Robins	Drapery Stores	
15	Stell	Oil Gas	
16	Avast	Foods	
17	Unilever	Industrial	
18	Bellmer (H P)	Industrial	
19	National Gas	Oil Gas	
20	BAT	Textiles	
21	Sax & Nett	Textiles	
22	Ocean Wilson	Transport	
23	Shedley	Building Stores	
24	Waddingtons (B)	Paper Print	
25	ETR	Industrial	
26	Wynne's	Drapery Stores	
27	Grothes	Textiles	
28	Europac	Oil Gas	
29	Watkinson	Industrial	
30	First News	Books Disc	
31	Ronart	Industrial	
32	TGAT	Industrial	
33	BAA	Transport	
34	Bell's Bagger	Motor Airc	
35	Bertrams	Leisure	
36	Midland	Books Disc	
37	First Leisure	Leisure	
38	Angus Pit	Drapery Stores	
39	Bell's Card	Industrial	
40	Morris Spender	Drapery Stores	
41	Eaton	Industrial	
42	Cadbury Schw	Foods	
43	Morgan Chil	Industrial	
44	Ryd St Sct	Books Disc	

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Weekly Dividend
Please make a note of your daily dividends for the weekly dividend of £5,000 in Saturday's newspaper.

MON TUE WED THU FRI SAT SUN

£100 £100 £100 £100 £100 £100 £100

There were no valid claims for the Portfolio Platinum prize yesterday.

Mon. Fri. Comp. Pds. w/wk. Val. % Pds. w/wk. Val. %

BANKS, DISCOUNT, EP.

No.	Company	Price	Wkly	Val.	%	Wkly	Val.	%
1	ABN Amro	100	-1	100	-1	-1	100	-1
2	Barclays	100	-1	100	-1	-1	100	-1
3	Bank of Scotland	100	-1	100	-1	-1	100	-1
4	Chase Manhattan	100	-1	100	-1	-1	100	-1
5	HSBC	100	-1	100	-1	-1	100	-1
6	Leeds Building Soc	100	-1	100	-1	-1	100	-1
7	Midland Bank	100	-1	100	-1	-1	100	-1
8	Nat West	100	-1	100	-1	-1	100	-1
9	Prudential Assurance	100	-1	100	-1	-1	100	-1
10	Standard Chartered	100	-1	100	-1	-1	100	-1
11	Westpac	100	-1	100	-1	-1	100	-1
12	Woolwich	100	-1	100	-1	-1	100	-1
13	Young's	100	-1	100	-1	-1	100	-1
14	Other Banks	100	-1	100	-1	-1	100	-1
15	Discount Brokers	100	-1	100	-1	-1	100	-1
16	EP	100	-1	100	-1	-1	100	-1

BREWERIES

No.	Company	Price	Wkly	Val.	%	Wkly	Val.	%
1	Adnams	100	-1	100	-1	-1	100	-1
2	Amstel	100	-1	100	-1	-1	100	-1
3	Brasserie du Roy	100	-1	100	-1	-1	100	-1
4	Brewin	100	-1	100	-1	-1	100	-1
5	Carlsberg	100	-1	100	-1	-1	100	-1
6	Heublein	100	-1	100	-1	-1	100	-1
7	Heublein (A)	100	-1	100	-1	-1	100	-1
8	Hollandia	100	-1	100	-1	-1	100	-1
9	Levi-Strauss	100	-1	100	-1	-1	100	-1
10	Marston's	100	-1	100	-1	-1	100	-1
11	McDonald's	100	-1	100	-1	-1	100	-1
12	Miller	100	-1	100	-1	-1	100	-1
13	Other Breweries	100	-1	100	-1	-1	100	-1
14	Young's	100	-1	100	-1	-1	100	-1

BUILDING, ROADS

No.	Company	Price	Wkly	Val.	%	Wkly	Val.	%
1	Abbey	100	-1	100	-1	-1	100	-1
2	Alcon	100	-1	100	-1	-1	100	-1
3	Admiral	100	-1	100	-1	-1	100	-1
4	Admiral (A)	100	-1	100	-1	-1	100	-1
5	Admiral Ind	100	-1	100	-1	-1	100	-1
6	Admiral Ind (A)	100	-1	100	-1	-1	100	-1
7	Admiral Ind (B)	100	-1	100	-1	-1	100	-1
8	Admiral Ind (C)	100	-1	100	-1	-1	100	-1
9	Admiral Ind (D)	100	-1	100	-1	-1	100	-1
10	Admiral Ind (E)	100	-1	100	-1	-1	100	-1
11	Admiral Ind (F)	100	-1	100	-1	-1	100	-1
12	Admiral Ind (G)	100	-1	100	-1	-1	100	-1
13	Admiral Ind (H)	100	-1	100	-1	-1	100	-1
14	Admiral Ind (I)	100	-1	100	-1	-1	100	-1
15	Admiral Ind (J)	100	-1	100	-1	-1	100	-1
16	Admiral Ind (K)	100	-1	100	-1	-1	100	-1
17	Admiral Ind (L)	100	-1	100	-1	-1	100	-1
18	Admiral Ind (M)	100	-1	100	-1	-1	100	-1
19	Admiral Ind (N)	100	-1	100	-1	-1	100	-1
20	Admiral Ind (O)	100	-1	100	-1	-1	100	-1
21	Admiral Ind (P)	100	-1	100	-1	-1	100	-1
22	Admiral Ind (Q)	100	-1	100	-1	-1	100	-1
23	Admiral Ind (R)	100	-1	100	-1	-1	100	-1
24	Admiral Ind (S)	100	-1	100	-1	-1	100	-1
25	Admiral Ind (T)	100	-1	100	-1	-1	100	-1
26	Admiral Ind (U)	100	-1	100	-1	-1	100	-1
27	Admiral Ind (V)	100	-1	100	-1	-1	100	-1
28	Admiral Ind (W)	100	-1	100	-1	-1	100	-1
29	Admiral Ind (X)	100	-1	100	-1	-1	100	-1
30	Admiral Ind (Y)	100	-1	100	-1	-1	100	-1
31	Admiral Ind (Z)	100	-1	100	-1	-1	100	-1
32	Admiral Ind (AA)	100	-1	100	-1	-1	100	-1
33	Admiral Ind (BB)	100	-1	100	-1	-1	100	-1
34	Admiral Ind (CC)	100	-1	100	-1	-1	100	-1
35	Admiral Ind (DD)	100	-1	100	-1	-1	100	-1
36	Admiral Ind (EE)	100	-1	100	-			

The Maxwells argued yesterday that they need say nothing during fraud enquiries. Stephen Gilchrist reports

Cheers for the right to silence

Kevin and Ian Maxwell invoked the defendant's ancient common law right of silence yesterday when they refused to answer questions about £450 million missing from Mirror Group Newspapers' pension funds. MPs hoping to question the brothers were told by George Carnan, QC, that anybody "in peril of criminal charges is entitled from first to last in all circumstances in this country at common law to maintain his right to silence".

The Maxwell case is the latest example of conflict between investigators' powers to compel defendants or witnesses to give information and a defendant's right of silence. This follows a ruling in 1990 cheered by civil libertarians, when Wallace Smith successfully challenged the powers of the Serious Fraud Office (SFO) to compel people who are under investigation for fraud, or others, to answer questions.

Mr Smith was charged by the police with offences under the Companies Act 1985, which he denies. The SFO then decided to investigate his affairs and served him with a section 2(2) notice requiring him to answer questions and give information. He was told that, under the conditions of this section, he would not be cautioned and could be prosecuted if he failed to answer questions without reasonable excuse.

Mr Smith, not impressed with the position in which the SFO had put him, applied for judicial review of the notice. Now, in what many see as a blow against the overweening powers of investigative bodies, the divisional court of the Queen's Bench Division has held that when a defendant has been charged in criminal proceedings he has the right of silence, which in turn gives him a "reasonable excuse" for failing to cooperate with the SFO.

Mr Smith, therefore, could not be forced to answer questions about matters forming the basis of the charge, although he could be questioned under section 2 about other suspected offences. The right

of silence is one of the pillars of our criminal justice system. The rules say the prosecution must prove a case and the defendant need not help it by self-incrimination. The tendency for about 15 years, particularly in commercial legislation, to erode this right or to negate it altogether is worrying.

Of course, there is legitimate concern and some sympathy with the investigators who face a sometimes difficult task but some practitioners feel that those responsible for the administration of our criminal justice system are trying to fool the rest of us into believing we are still playing the same game despite a change in the rules. Justice is not a game and changes in the rules can have grave implications for our citizens' rights and liberties.

Under the Criminal Justice Act 1987 the director of the SFO may

make against the background of the Court of Appeal decision in *Regina v Seeling and Regina v Spens* earlier in the year. The court held that evidence amounting to admissions given by a person to trade and industry department inspectors during a Companies Act investigation may be used against that person in criminal proceedings. This was the case even though a refusal to answer self-incriminating questions can be treated as a contempt of court.

The court also said that inspectors are not required to caution the person. The department's investigative powers are similar in many ways to those of the SFO, except that refusal to cooperate is not a separate criminal offence but can be treated as a contempt of court.

In that case the Court of Appeal decided that those questioned under the 1985 Companies Act should be treated less favourably than the average person accused of crime "and that there was no unintended legislative muddle".

In Mr Smith's case the divisional court gave a ruling that the "charged" status of an accused person effectively overrides any other consideration.

In 1988 Ernest Saunders, the former Guinness chairman, challenged the SFO in the divisional court suggesting that was improper to serve a section 2(2) notice after he had been charged with criminal offences.

The court decided that an SFO investigation could continue effectively up to the time of the trial. Although this is still the case, the Smith ruling does give protection in that a defendant cannot be compelled to answer questions relating to the offence with which he has been charged.

The SFO intends to appeal against the ruling. Meanwhile, some may consider that Mr Smith has gone some way towards halting what has appeared to be an almost unstoppable trend.

George Carnan, QC, is a solicitor and partner in the London firm Hart Forgrave and is a criminal practitioner.

Mr. Smith's application was

investigate any suspected offence that appears on reasonable grounds to involve serious or complex fraud.

The director is empowered to demand the attendance of witnesses and the production of documents and, in particular, may require the person under investigation, or any other person who has reason to believe has relevant information, to appear before him to answer questions or give information on anything relevant to the investigation.

Non-compliance, without reasonable excuse may amount to a criminal offence with a maximum penalty of six months' jail.

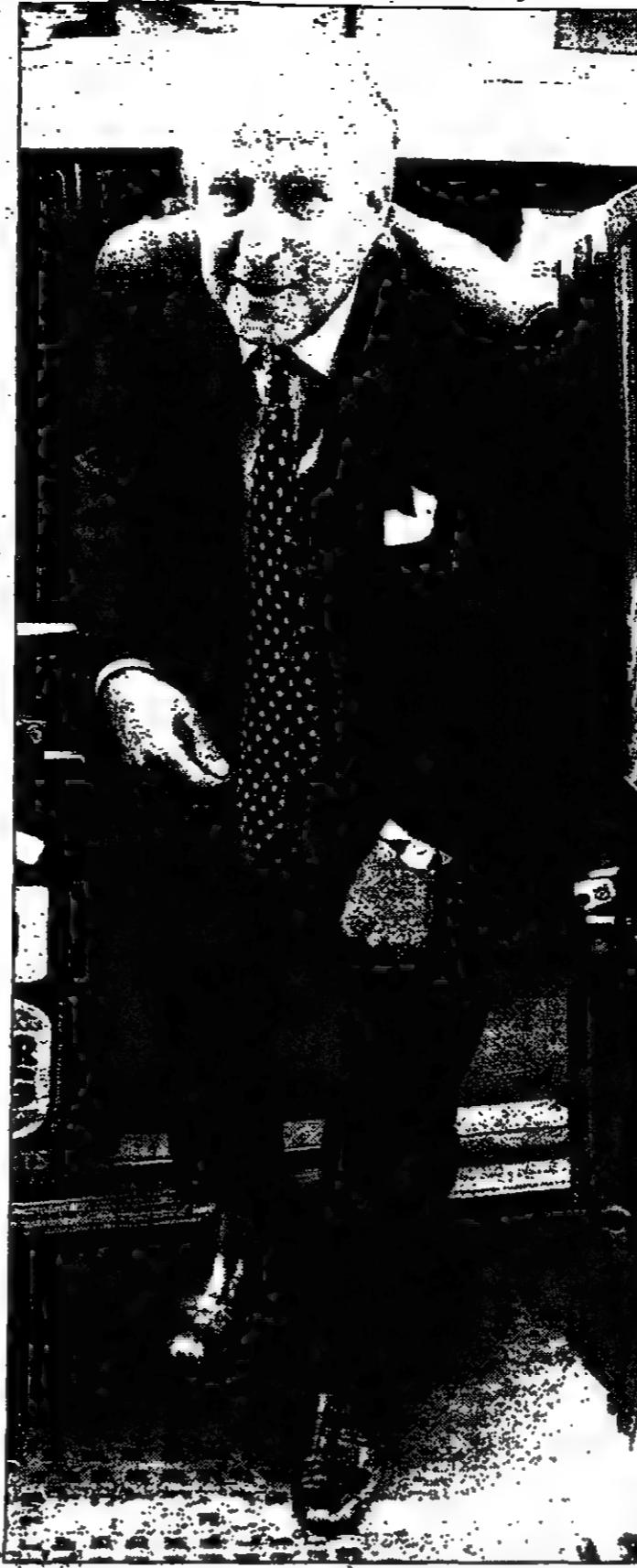
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Mr. Smith's application was



Saunders: the ruling would have given him some protection

Why I believe judges should retire earlier

Gaith Williams, QC, the chairman of the Bar, puts forward his case

Public Prosecutions refers to the position as one of special constitutional importance. Is judicial work not similarly so? Why should judges not be advertised? Why, if an ambassador retires at 60, should a senior judge continue to 75 and, with extensions, beyond that? Some of Lord Reid's great judgments might have been lost on his retirement at 65, and so they would have been on his retirement at 70, with which Sir Frederick is apparently happy. Equally some of Lord Denning's lesser offerings might have been avoided on his earlier retirement.

Sir Frederick compares experienced judges with good claret. Decent claret is commonly kept in dark cellars, in isolation, and always in the dark. When disturbed or agitated, it becomes clouded and obscure. The headline to the article was "The right system for the judges". What we need is the right system for justice. The two may not always be the same. Circuit judges have to apply for the job and retire at 72. High Court judges are appointed and retire at 75. Why?

The Attorney-General's advertisement for the new Director of

Public Prosecutions says the quality of our judiciary is extremely high. So it is. The work is exceptionally difficult, done under pressure, often subject to ill-informed criticism. However, perhaps it could be improved.

The present Lord Chancellor says the quality of our judiciary is extremely high. So it is. The work is exceptionally difficult, done under pressure, often subject to ill-informed criticism. However, perhaps it could be improved.

be appointed for a fixed term, perhaps ten years? Is it right that High Court judges from the Queen's Bench Division should regularly sit in the Court of Appeal criminal division? I suggest a better system is to appoint more Court of Appeal judges who can devote their time exclusively to appellate work. We could then look for more consistency between divisions of the Court of Appeal criminal division. The appeal system's dreadful delays could be mitigated.

If we want an efficient, effective criminal appeal system we must provide the resources: sufficient lords justices of appeal for the work, with facilities for adequate assistance and research.

Public confidence in our criminal justice system has taken a severe knock. We need to restore that confidence. A useful first step is to choose our judges with more openness and apparent fairness. A system that Anthony Trollope would have relished will not do.

The Devil who does a good job

Walter Bagehot observed that the English have "stumbled on a constitution", which, although defective in its construction, has the very great merit that it works.

No aspect of the legal constitution better exemplifies this theory than the role of First Junior Treasury Counsel, Common Law. This week, at the start of the new law term, Stephen Richards begins his term of office, succeeding John Laws, who has been appointed to the High Court Bench.

The Treasury Junior is an independent barrister who acts only for the Crown in civil litigation, advising government departments on the law and arguing their cases in court.

In theory, he is the "Attorney-General's Devil", the junior who researches what the law officers need to know. In practice, he has an important role in government, assisting the Crown to comply with the law and helping the development of administrative law by his submissions in leading cases.

The growth in public law litigation and the consequent burdens of the work make it impossible for the modern Treasury Devil to follow the example of Sir Valentine Holmes, appointed to the post in 1935. He performed the task

"without any abatement of his private practice" as a libel specialist.

Today, the Treasury Junior needs the help of a panel of barristers who act for the Crown part-time as and when required.

As Lord Justice Woolf, a former Treasury Junior, has explained, it would be a mistake "to underestimate the advantages of an independent advocate". He always lost the cases but he

argued that this "partly arose from his power of discrimination and soundness of understanding which, enabling him to see the real merits of the cause on both sides, afterwards fitted him so well for being a judge".

Nowadays, thanks to the advocacy skills of Treasury Juniors, and the assistance they receive from the Treasury Solicitor's department, the Treasury Devil normally has the best tunes in court.

The example of Charles Abbott, however, serves to remind lawyers of what has been well understood and acted on by all recent holders of the office. All advocates have to reconcile their duties to their client with their duties to the court, and with their conscience.

The Treasury Junior has a specific responsibility for helping to ensure that the Crown complies with the law and that the court is provided with all the information it requires to ensure that justice is done in the cases before it.

The highest tribute that can be paid to Mr Laws is that after a period of office during which politics and the law have been more difficult to separate than ever before, he has won over an institution whose value and independence is recognised and respected throughout the legal profession. All members of the Bar will wish Mr Richards well in upholding this important tradition.

George Carnan, QC, is a barrister.

Deadly divorce

DIVORCE, it seems, is bad for your health as well as your bank balance. A report from the organisation One plus One, based at the Central Middlesex Hospital, west London, has found that divorced men aged between 35 and 44 are twice as likely to die early as married men and that divorced women between the ages of 25 and 29 are one and a half times more likely to die early than married women. Divorced men are twice as likely to die from heart disease and two and a half times more likely to die of a stroke than married men. Divorced people also smoke and drink far more heavily than married people and patterns of heavy drinking are likely to be passed on to divorced people's children. In the population as a whole drink-related disease is closely related to certain occupations — solicitors, barristers and judges are one and a half times more likely than the average to die from liver damage.

Mhud's profile

EVERYONE likes statistics about the judiciary. In a recent survey, the journal *Labour Research* examined the background of Britain's judiciary, including the ten members of the House of

and of the top 123 only eight say they enjoy reading. Their preferences are golf (22 per cent), sailing (13 per cent) and fishing (13 per cent).

Fresh talent

THE high spot of the latest antics in the Save the Children Fund "Children in Cities" campaign was the Freshfields talent show, which, apart from raising £1,000 for the fund through the ticket sales, featured members of staff in vinyl mini skirts, silver wigs and Rhinestones performing a range of numbers including the John Travolta hit "Greased Lightning". The whole event was video-taped and showings of the video are expected to increase the original £1,000 takings several-fold. The firm, however, is being rather coy about when the video can be expected to be seen by the public.

Time to sign

HERE is still time for accountancy firms, banks and others that recruit lawyers to join the legal profession and host a stand at this year's Law Fair. The fair, on February 6 and 7, the biggest recruitment event for law students, had more than 5,000 visitors last year. A wide range of big and small law firms are already signed



up. The fair is organised by London University's careers advisory service and sponsored by the Bar, the Law Society, the Institute of Legal Executives and *The Times*. More details are available from 0800 252183.

A case to ape

DESPITE getting in a lawyer to help, Timmy the gorilla has had to leave Cleveland Zoo. The zoo wanted to send him to the Bronx Zoo, where four breeding females were waiting. The Cleveland zoo's visitors, however, asked for a restraining order, arguing that Timmy was happy in the company of an infertile female gorilla, Kibei.

Kibei, the judge threw out the case, saying Timmy had not been ill-treated and that the zoo had the right to move him. The zoo says the case sets a precedent to assist it in saving off attempts to intervene in breeding programmes for endangered species.

Fee fight

A DISPUTE has erupted between the City law firm Marches & Co and the legal recruitment consultants Garfield Robbins. Marches recently merged with another similar-sized City firm, Carter Faber. Garfield Robbins, which undertakes an introduction service, says Marches has not paid a £149,918 fee said to be calculated on Carter Faber's turnover, for introducing Carter Faber, and has issued a writ alleging breach of contract. Lindsay Hill, a partner with Fox Williams and Garfield Robbins' solicitor, says: "Our clients had a contract with Marches for the work, with a fee formula provided for. The amount they are asking for is in accordance with that fee formula." Alun Lamerton, Marches' chief executive, says: "We are in dispute with Garfield Robbins about their involvement in the merger negotiations with Carter Faber. The proceedings are being defended."

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Safety on the agenda

Companies may have to reveal their environmental and safety record, Henry Witcomb writes.

Greenwashing, the practice by which companies try to repackage their products to appear environmentally friendly, is undoubtedly one of the growth corporate sports of the 1990s.

This practice, however, will receive a timely setback should a private member's bill, introduced by Jeff Rooker, the Labour MP for Birmingham Perry Barr, receive a second reading in the House of Commons on Friday.

The Corporate Safety and Environmental Information Bill, which is jointly promoted by the Freedom of Information and the Citizen Action Compensation Campaigns, would oblige companies for the first time to disclose details of their environmental and safety performance in their annual reports.

The bill would provide both individual and institutional shareholders with crucial information with which to select and monitor the companies in which they wish to invest. Not surprisingly, the government, which is the foremost champion of a shareholding democracy, seems to be in favour of this principle.

Last year, at the Royal Society of Arts Michael Heseltine, the environment secretary, urged all businesses to set environmental targets and to publish accounts showing performance against those targets. He called for companies "... to commit themselves to the basic strategy of environmental review, target setting and public reporting".

David Trippier, the environment minister, was even more explicit, in an address to the Confederation of British Industry in June 1990, saying that companies should tell the world about their environmental performance through their annual reports distributed to shareholders.

Despite what appears to be a clear government policy on this subject, shareholders

have no legal right to be informed of a company's environmental and safety record in its annual report. Moreover, voluntary boardroom disclosure all too often reveals a confusion between economy and the truth.

The absence of any safety information in the 1989 annual report of the Ready Mixed Concrete group, for instance, is unsatisfactory.

The report does not mention the Thames riverboat disaster, in which 51 people died after the Bowelle, which is owned by a Ready Mixed Concrete subsidiary, collided with the Marchioness.

Should Mr Rooker's bill become law, shareholders would be provided with a wide-ranging review of company activity. Every company would be required to disclose in its annual report:

- The number of times it or its senior management have been convicted of environmental and safety offences, giving details of every conviction.

- The number of improvement and prohibition notices that have been served on it by regulatory bodies such as the National Rivers Authority or the Health and Safety Executive.

- The number of compensation payments made by it after an injury or fatal accident, giving details in every case of the cause of the accident, the nature of the injury, and the amount of compensation and legal costs paid.

- The number of reports made under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985.

The information provided would enable shareholders to evaluate objectively their company's performance, and, if necessary, bring about change. In turn, directors would be obliged to attend to environmental and safety matters, and to deal with them in public in a detailed, frank manner. However,



disclosure should not be seen just as a means of calling a company to account for its activities.

Disclosure of environmental and safety performance represents an opportunity for companies to highlight their competitive edge over other companies. After all, millions of days are lost through injury, and millions of

pounds are lost through environmental clean-up costs every year.

Last year, John Collins, Shell UK's chair and the head of a government advisory committee on industry and the environment, said "transparency" is the key to meeting and maintaining environmental standards.

Mr Collins' commitment

to this objective was clear. "In the end, anybody like this will be judged on what it does, and we are looking for bold action, not rhetoric," he said.

Mr Rooker's bill presents an opportunity for such action. The opportunity must not be missed.

• The author, a barrister, is a member of the Citizen Action Compensation Campaign.

Mergers lawyers who make it big

The market for mergers and acquisitions work continues to be dominated by Slaughter & May, Freshfields and Linklaters & Peases. Norton Rose is also snapping up a large chunk of the business.

The 1991 lawyers' league table is published in this month's issue of *Acquisitions Monthly*. Although the order has been slightly reshuffled this year — Slaughter having eased Freshfields off the top — these figures will not disturb the self-assurance of the leading firms' managing partners.

The intense popularity of the leading lawyers means they are regularly being "confiscated" out of some key deals. The exact place in the pecking order therefore has little significance. What really counts is consistency in appearing among the top performers.

The contrasting strengths, however, are significant. To a large extent Slaughter owes its position to its commanding lead in advising companies. According to *Acquisitions Monthly*, it was involved with 19 deals on behalf of companies with a total value of almost £5,000 million. This was far ahead of Simmons & Simmons, the next firm on the companies' side, which clocked up nine deals at a total value of less than £2,000 million. The combined value of deals for Freshfields' company clients was £1,661 million.

The position is reversed when one looks at the work done for financial advisers. Here Freshfields takes the lead with ten deals worth more than £2,500 million, while Slaughter's five deals just total over £500 million. Linklaters secures its position by doing fairly well on both counts, reinforcing its reputation for all-round strength and excellence.

Further down the table, there is a noticeable improvement by Travers Smith Brathwaite, which has moved from number 20 to number ten, and Goudens, where the leap is from 19 to 12. In both cases the acceleration through the ranks is

due to involvement in a relatively small number of very big deals.

There were also some unique entries into the various tables that will, no doubt, be highlighted as landmarks in the histories of one or two partnerships.

Certainly the appearance of the Scottish firm McGregor Donald is worth noting for its work on the defence of Invergordon Distillers. At a time when the biggest law firms in Scotland are claiming a similar status to the leading London firms this can only help their case.

For comparatively small firms such as Howard Kennedy and A & L Goodbody, which make the acquisitions monthly survey for the first time, 1991 will always be regarded fondly.

Even the big firms will be relieved, if not satisfied, at the way last year ended. The first half of 1991 was fairly flat, leaving many mergers and acquisitions lawyers to twiddle their thumbs. A surge in activity in the late summer and autumn, however, has restored the figures to a reasonable level. Most of

Slaughter's work, for example, came in during the final quarter. Clients including Williams Holdings, Lasmco and BTR were involved in hostile bids, all worth more than £500 million, for UK targets.

The next few months should prove interesting. Lawyers' views around the City were thick last week on whether the long drawn-out run-up to the election would encourage or deter companies from plunging into further acquisitions. Some argue that this year's first half will be as dead as last year's, while others believe there is likely to be a rash of opportunistic bids as political uncertainties mount.

"Despite the decline in the volume of work it would appear that the legal profession is the nearest thing to a recession-proof industry," says Joanna Gant, of *Acquisitions Monthly*. Ironically, some of the work during 1991 came from the unravelling and rationalising of mismatches that occurred in the booming late 1980s.

EDWARD FENNELL

NOW THEY FINISHED

Combined lawyers' mergers and acquisitions league table, showing legal advisers acting for a financial adviser or a company in UK public takeovers from January to December 1991. Ranking is by value of transactions

ADVISER	DEALS	VALUE (£m)
1 Slaughter & May	24	5,485
2 Freshfields (1)	21	4,173
3 Norton Rose (7)	18	2,929
4 Linklaters & Peases (2)	14	2,911
5 Simmons & Simmons (11)	10	2,050
6 Abarstur Morris Crisp (5)	20	1,490
7 Herbert Smith (9)	21	1,218
8 McKenna & Co (16)	7	541
9 Allen & Overy (8)	12	523
10 Travers Smith Brathwaite (20)	8	508
11 Clifford Chance (10)	13	482
12 Goudens (18)	2	407
13 S.J. Berwin (13)	7	388
14 McGregor Donald (-)	2	358
15 Nabarro Nathanson (8)	5	327
16 Theodore Goddard (-)	9	233
17 Row & Maw (-)	2	167
18 Timms Sainer & Webb (-)	4	147
19 Howard Kennedy (-)	2	124
20 A & L Goodbody (-)	2	105

* 1990 full year ranking
This table is based on completed and failed offers for UK public companies January to December 1991, and includes only those advisers involved in two or more transactions. Figures in brackets are last year's positions

Sources: Acquisitions Monthly/Amidra III

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Retirement sex bias claim fails

Doughty v Rolls-Royce plc

Before Lord Justice Mustill, Lord Justice Butler-Sloss and Sir John Megaw
Judgment December 18

Rolls-Royce plc was a commercial undertaking notwithstanding that all its shares were held by nominees of the Crown and that its trading connection with the state was of importance to the defence of the state.

Accordingly, a female employee of the company required to retire at 60 when male employees retired at 65 could not rely on an EEC Council Directive guaranteeing men and women the same working conditions without discrimination on the ground of sex.

The Court of Appeal so stated dismissing an appeal by Mrs D. S. Doughty from the decision of the Employment Appeal Tribunal (*The Times* August 10, 1987; [1987] ICR 932) whereby it allowed an appeal by the company from the decision of an industrial tribunal that Mrs Doughty could rely on Article 5(1) of Council Directive 76/207/EEC, the equal treatment directive, to uphold her claim that she had been unfairly dismissed and discriminated against contrary to section 6(2)(b) of the Sex Discrimination Act 1975.

Mr Michael Beloff QC and Mr Tim Kerr for Mrs Doughty; Mr David Pannick for Rolls-Royce.

LORD JUSTICE MUSTILL said that the appeal was concerned with the effect of Council Directive 76/207/EEC, the equal treatment directive.

The dispute revolved around questions of principle which had already been extensively discussed by the Court of Justice of the European Communities and subsequently by the House of Lords in *Foster v British Gas plc* [1991] QB 405; [1991] AC 306.

On February 26, 1986 Mrs Doughty was compulsorily retired at 66 in accordance with the company's standard terms of employment. If she had been a man she could have contined for another five years.

At that time that disparity was legitimate as far as English law was concerned since section (4) of the 1975 Act excluded discrimination arising out of retirement provisions. It was not legitimate under the equal treatment directive.

Subsequently, domestic legislation was amended but the amendment was no law to save Mrs Doughty's claim under English law. She sought recourse to European law contending that she was entitled to the direct benefit of Directive 76/207/EEC.

While the precise jurisprudential basis on which individuals had been held entitled to derive benefit from European Directives which fulfilled certain conditions had yet entirely to be clarified, the general nature of the doctrine was now well established.

The foundation cases were *Becker v Finanzamt Münster-Innenstadt* (1984) ECJ 53; and *Marshall v Southampton Health Authority* [1986] QB 401.

The question at the root of the appeal was: Did the act of the company in denying Mrs Doughty the opportunity to con-

tinue in service for a further five years amount to reliance by the United Kingdom upon its own failure to bring English law into conformity with the equal treatment directive?

After discussing the opinion of the Advocate-General the judgment of the European Court and the judgment of the House of Lords in *Foster*, his Lordship said that the principles to be extracted therefrom could be applied to the instant case in the light of two questions:

1. Was Mrs Doughty correct in contending that the sole test of whether the entity in question fell within the doctrine in *Becker* and *Marshall* was whether it was under the control of the state?

2. If that contention was not correct, to what extent did the answer furnished by the European Court in *Foster* constitute an exhaustive statement of the criteria for determining the status of the entity: and if it was not exhaustive, what test should be applied to the present case?

The adoption by the European Court of a much wider test of which the power of control was only one of several cumulative criteria showed that the proposition advanced by Mrs Doughty could not be correct.

The same conclusion, for the same reason, followed from an examination of the leading speech in the House of Lords in *Foster*.

If control had been the touchstone, the second hearing in the House of Lords would have been a farce.

Accordingly, his Lordship should reject Mrs Doughty's first and principal argument. There remained the second question.

concerning the status of the test prescribed by the European Court.

The company accepted, rightly, that the test was not intended to provide the answer to every case of.

Nevertheless, in a case of the same general type as *Foster* the court's formulation must always be the starting point and would usually be the finishing point. If all the factors identified by the court were present it was likely to require something very unusual to produce the result that an entity was not to be identified with the state.

Conversely, although the absence of a factor would not necessarily be fatal, it would need the addition of something else, not contemplated by the formula.

While the *Marshall* principle had a prospect of being brought into play.

So the court had to begin by seeing whether the three criteria established by the formula in *Foster* were satisfied in the case of the company. For that purpose, his Lordship would assume that the second criterion, namely that whatever "service" the company provided was at the material time "under the control of the state" was fulfilled by Rolls-Royce at the time in question.

If that requirement had been crucial it would have been examined more closely.

The position was quite different in regard to the other two criteria.

As to the first, his Lordship could not see how it could be said that the company "was made responsible, pursuant to a mea-

sure adopted by the state for providing a public service".

The company was a commercial undertaking which as part of its business traded with the state on terms which were negotiated at arm's length. It was true that the trading connection was of importance in the defence of the realm, an activity peculiar to the state, and was liable to become even more so in time of war, and the importance of that was manifested not only by the closeness of the relationship on the trading relationship but also by the importance attached by officers of the state to ensuring that the company kept its trading capacity fully in being.

Nevertheless, on the evidence before the industrial tribunal the services were provided to the state and not to the public for purposes which were of benefit to the state.

Nor could his Lordship see any evidence that the company possessed or claimed to exercise any special powers of the type enjoyed by British Gas.

For those reasons his Lordship considered that the company did not at the material time fulfil the requirements of the ruling in *Foster*. That did not mean that Mrs Doughty's claim based on the Directive must inevitably fail, but there was a need to find some strong additional reason special to the present case before concluding that the Directive could be relied on by the individual against the company. His Lordship could see none.

Lord Justice Butler-Sloss and Sir John Megaw agreed.

Solicitors: Mr Joe O'Hara, Wimbledon; Freshfields.

Commercial Court Statement

The Commercial Court policy of fixing hearing dates for as soon as the parties were ready for trial might have to be modified unless further judicial resources were made available to the court.

MR JUSTICE EVANS, judge in charge of the Commercial Court of the Queen's Bench Division, so stated on December 20, in a statement in open court.

That the following were the statistics for the year ended July 31, 1991 (1990 in brackets): cases started: 2,034 (1,874); or parts injunction applications: 257 (194); summonses issued: 3,341 (3,372).

The number of cases brought before the court had increased considerably, but thanks to a reduction in the number of cases which came to trial (85 as against 125) and the overall settlement rate increasing from about two-thirds to nearly three-quarters of the cases given trial dates (70 out of 364) the court sitting with six judges was able to keep abreast of its work.

The pattern of the Michaelmas term had been markedly less successful. A substantial number of trials had to be stood out of the list for lack of a judge to hear them. The problem was particularly acute during October and November when nearly one quarter of cases given fixed dates could not be heard on those dates.

There were many reasons for this unfortunate experience.

Perhaps the primary reason was that the full complement of six High Court commercial judges had not seen to be heard on those dates.

A depressingly large number of summonses for directions were issued before discovery and inspection had taken place. The reasons why that was premature and

Plea for more judges

been available in the Michaelmas term until December.

It had been possible despite the need to maintain sittings in six courts for most of the term because two circuit judges had been able to sit as additional judges for different periods and Queen's Counsel with commercial experience had been able to sit as assessors judges on a temporary basis for 17 days.

However, it remained true that the burden was one which could not be carried indefinitely and it was only because of the quite exceptional efforts by all concerned that the court's high standards had been maintained.

It had to be said, therefore, that the present situation was one where the policy of fixed hearing dates was one where the policy of fixed hearing dates was issued in an action which had been given a trial date, that date should be stated on the face of the summons: see *Practice Direction (Commercial Courts - Revised Practice)* (1990 1 WLR 481). That was helpful and important to the court staff.

3 It was a weekly and often a daily experience that consent orders were sought for actions to be ended in ways which were variously described as the action being discontinued, dismissed or withdrawn and including references to the court's record being withdrawn.

His Lordship sometimes wondered whether it was always appreciated that when an action was discontinued there was not necessarily any bar to fresh proceedings in respect of the same claim. The correct form of order in each case was important for both parties and in future special consideration should be given to that.

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(Ref. 91/82 - 58)

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Closing date: Monday 27th January, 1992.



Leading seeds progress smoothly into the second round of the Australian Open tennis tournament

Bates finds himself the fall guy again

FROM ANDREW LONGMORE
TENNIS CORRESPONDENT
IN MELBOURNE

THE part of fall guy to the champions is becoming a regular role for Jeremy Bates at the Australian Open.

Last year, he gave Boris Becker a rolicking good opening match and the German went on to win his first Australian title and become world No. 1. Yesterday, he warmed up the present No. 1, Stefan Edberg, giving the Swede a minor scare by winning the first three games before folding gently thereafter.

Edberg was joined in the second round by Becker and Ivan Lendl, neither of whom dropped a set. But for the second year in succession, Pete Sampras was forced to pull out at the last minute.

Last year, it was sore shins; this year, it is a sore shoulder. Nobody doubts that the injury is genuine. Equally, nobody can remember when Lendl, Becker or Edberg last withdrew before the start of a grand slam with an injury.

Tony Pickard, Edberg's coach, whose loyalties were tested for the first time since he became Britain's Davis Cup captain, could not have

picked a more ideal opponent for his man's first competitive match in nearly two-and-a-half months.

Bates, says a colleague from *L'Equipe*, has a *partie de chateau* type of game, which means he is graceful but harmless in such august company. "I knew he had nothing to hurt me," Edberg said. "So it was a good match for me."

Pickard's pleasure at Edberg's 6-4, 6-2, 6-4 win was tempered by sympathy for the British No. 1. He deserved a better fate after coming through qualifying

and he played well. There are plenty of guys here he could have beaten," he said.

On yesterday's form, Becker was certainly not one of them. The defending champion announced his return to Flinders Park with a clap of thunder, thudding 25 aces past the hapless Jan Gunnarsson, of Sweden.

"Twenty-five aces? That is quite a lot, even for me," Becker said. In just 63 minutes, too.

Twice, Becker fired down three straight aces and his overall demeanour suggested

a man happy in his work. Sommeling posed the biggest threat to his dominance on a hot afternoon. This place is very special to me after last year," he said.

The theory is that, in the company of his new girlfriend, Becker is now happier and more confident than at any time in his career. But it will take tougher opposition to prove it.

Less fortunate was Petr Korda, the only seed to fall in the men's singles. The No. 9 seed is as dast as the upturned brush he resembles, and,

when he won the first two sets against Jeff Tarango, not even Tarango — a creative writer and philosopher in his spare time — would have dared to imagine victory. But truth proved stranger than fiction and the Californian emerged triumphant after nearly three hours.

Lendl, a straight-sets victor over Richard Fromberg, now meets another Australian, Roger Rasheed, who nearly gave up the game two years ago to play Australian Rules. Rasheed gained his wild card into the Open only as a reward for winning a satellite tournament in Australia last October.

He intends to make the most of his big moment against Lendl. "I like to be aggressive and I just hope I can do some damage," he said. To help him, he is reading a book on psychology called *How to Think Big*.

In the women's singles, Jennifer Capriati and Monica Seles lost two games each in reaching the second round and Jo Durie had an excellent 7-5, 6-1 win over Florence Labat. Two other British girls, Samantha Smith and Sara Gomer, lost like Bates, they are in danger of being typecast.

Men's singles
FIRST ROUND: P McEnroe (Us) bt M Cierro (R), 6-3, 6-4; A Charkisov (Cis) bt M B Silver (Us), 6-3, 6-1; P M Mewburn (Eng) bt D Nestor (Can), 6-4, 7-5; T Musten (Aust) bt J-P Fleuret (Fr), 7-6, 7-5; F Peres (Eng) bt N Kresser (Us), 6-3, 6-2; S Saito (Jpn) bt R Kukulka (Gr) bt J Arnes (Us), 6-1, 7-6; M Schapers (Neth) bt T Chamberlain (Us), 6-3, 6-2; J-C Lemoine (Fr) bt J Kukulka (Gr), 6-3, 6-2; P Korda (Cz), 6-4, 6-3, 6-3; O Campanese (It) bt T Hogastein (Swi), 3-6, 6-2, 6-2; J-C Lemoine (Fr) bt J Kukulka (Gr), 6-3, 6-2; R Fromberg (Us) bt D Mervin (Eng), 6-2, 6-4; R Rensberg (Us) bt B Wuyts (Bel), 6-2, 6-4; R Rensberg (Us) bt J Franco (Arg), 7-6, 6-3; C Ferrero (Sp) bt J Gunnarsson (Swe), 6-3, 6-2; P M Mewburn (Eng) bt J Gosselin (Can), 6-3, 6-2; P McEnroe (Us) bt D Rosset (Fr), 6-3, 6-2; A Volfov (Cis) bt T Woodbridge (Aus), 6-3, 6-2, 6-1.

Women's singles

FIRST ROUND: J-L Liger (Aus) bt E Gobet (Fr), 6-3, 6-2; M Klemmer (Aus) bt A Minister (Aus), 6-2, 6-2; L Sverchek-Holland (Latvia) bt A Agurto (Bol), 6-3, 6-2; J Gosselin (Can) bt N Mervin (Eng), 6-3, 6-2; J Gunnarsson (Swe), 6-1, 6-4, 6-2; S Edberg (Swe) bt J Saarinen (Fin), 6-2, 6-4; R Fairbank-Nikifer (Neth) bt J Gosselin (Can), 6-3, 6-2; S Stosur (Aus) bt R Bobkova (Cz), 6-0, 6-1; Stosur (Aus) bt R Bobkova (Cz), 6-0, 6-1.

PUBLIC APPOINTMENTS

SKIING
Bianchi
breaks
through

Garmisch-Partenkirchen:
Patrice Bianchi overcame Hubert Strolz, the Austrian veteran, and Alberto Tomba, the Olympic champion, yesterday to achieve France's first success in a World Cup slalom for five years.

Bianchi, who was behind Thomas Stangassinger, of Austria, after the first leg, was mobbed by team-mates celebrating the first French slalom success since Didier Bouvet won at Parpan, Switzerland, in 1986.

"The piste was hard but it gripped, so you could attack all the way down," Bianchi, from Val d'Isère, said after his first World Cup win.

A battle between Alberto Tomba and Paul Accola failed to materialise, but Accola won the combination event to take over from Tomba as overall World Cup leader. (Reuters)

RESULTS: 1. P. Bianchi (Fr), 1min 27.2sec; 2. H. Strolz (Aust), 1min 27.3sec; 3. A. Tomba (It), 1min 27.72; 4. P. Strobl (Swit), 1min 27.84; 5. T. Stangassinger (Aust), 1min 27.88; 6. C. Pichot (Fr), 1min 27.95; 7. M. Gagnon (Can), 1min 28.02; 8. P. Accola (Swit), 1min 28.34; 9. F. Lange (Nor), 1min 28.42; 10. G. Giromini (It), 1min 28.52; 11. D. Bouvet (Fr), 1min 28.72; 12. B. Geigert (Aus), 1min 28.74. Overall World Cup positions: 1. Accola, 522 pts; 2. Tomba, 505; 3. M. Gagnon, 492; 4. P. Strobl, 474; 5. T. Stangassinger, 465; 6. S. Lachaux (Swit), 385; 7. M. Wieser (Ger), 278; 8. P. Accola (Swit), 222; 9. Pichot (Fr), 200; 10. A. J. Kell (Us), 201.



Capped crusader: Becker powers to victory over Gunnarsson at Flinders Park yesterday

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MANCHESTER CITY COUNCIL

remains determined to improve the delivery of quality services for all its residents. Independent Living and Equality for all are essential themes in our approach to meeting the needs of the individual.

We believe in a corporate approach to service provision that cuts across departmental boundaries. We are also planning increased decentralisation as a means of focussing on service needs at a local level.

The Social Services Department has a vital role to play in the Council's strategy. The Department is re-organising to meet the challenges of delivering quality services that respond to the needs of the individual, support independent living, and are accessible to all.

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- ▲ You must be committed to team working, within the Department and as part of a corporate and multi-agency strategy.
- ▲ A full information pack is available from Gillian Robinson, Room 8033, PO Box 536, Town Hall Extension, Manchester, M60 2AF
- ▲ Telephone or Minicom: 061 234 3818 or Fax: 061 234 3898. Please state which post you are interested in.
- ▲ The pack is available in BRAILLE, LARGE PRINT, or TAPE. Closing Date: 28th January. Interviews: 10th and 11th February.

Manchester City Council is an Equal Opportunity Employer and we positively welcome applicants from women and men regardless of their gender, ethnic or national origin, disability, age or sex, marital status, or responsibilities for dependants.

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For an application form and further details about this post, please send an AA SAE to Pam Medcalf, Personnel Department, NSPCC, 67 Saffron Hill, LONDON EC1N 8RS.

Closing Date for Applications: Friday 7 February 1992.

Interviews will be held during February.

The NSPCC is committed to Equal Opportunities and applications are welcome irrespective of age, gender, race, ethnic origin, disability or sexual orientation.

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THE TIMES

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Folkestone prize looks at mercy of smart Calabrese

NICKY Henderson, the trainer of the outstanding novice chaser Mutare, can today land another good prize for novices, the Whineway Gold Cup at Folkestone, with Calabrese.

Without casting quite the same dash as Mutare, Calabrese has still acquitted himself well since the decision was taken to switch him from hurdling to chasing. Having begun with a second to Dan Marino in Taunton, Calabrese went one better when he beat Auction Law by six lengths at Newton Abbot.

Arguably his best performance though, was when he returned to that track 17 days ago and finished second to Minnehema over today's distance. He was endeavouring to give 7lb to a horse whose fine first season over hurdles two years ago was crowned by a victory in the Philip Cornes Saddle of Gold Hurdle final at Newbury. In that instance Minnehema beat none other than the high-class Reimitz Man.

Although beaten into second, Calabrese finished so far in front of the remainder that it is not difficult to envisage him giving weight to both Andros Prince and Celtic Chief, rather disappointing younger brother Chief Cet.

MICHAEL PHILLIPS

Today's programme on the East Kent track can begin with the successful husband-and-wife partnership of Chris and Pip Nash winning the Ted Long Challenge Cup for amateur riders with Ikar.

The winner of six point-to-points last year, Ikar now seems unlikely to be troubled by only a 5lb penalty judged on the way that he won a handicap for novices at Lingfield eight days ago.

Otherwise the card should be notable for doubles for both Jenny Pitman and Mar-

Henderson, who has strong form of novice chasers

tin Pipe. Mrs Pitman can begin by winning the Dan Swinden National Hunt Novices' Hurdle with Mailcom, who is my nap following that authoritative win at Huntingdon on Boxing day, which in turn followed a promising first effort over hurdles at Chepstow.

Rouyan, who won the valuable Tote Jackpot Handicap Hurdle at Sandown last February when he was trained by Rod Simpson, is taken to win the Deal Novices' Chase following that encouraging pipe-opener over hurdles at Fontwell at the end of last year which showed that he has lost none of his sparkle.

Equally important, Rouyan has the scope to do well at chasing and he can overcome several above-average novices headed by Olveston.

In a similar but less competitive race at Sedgfield, it will be interesting to see whether Senator Snugfit, who won so well at Wetherby last Friday having already won at Catterick, can keep up the good work at the expense of Padadventure, who was beaten six lengths by Jodam on his chasing debut at Kelso last week. While conceding that an 8lb allowance should certainly help Padadventure, I prefer Senator Snugfit.

Maguire enquiry adjourned

THE Jockey Club enquiry into Adrian Maguire's right to claim a weight allowance has been adjourned (Michael Seely writes). The authorities agreed to a request by Geoff Hubbard and Ferdy Murphy, the owner and trainer respectively of three Maguire-ridden winners at Sandown on January 4 now threatened with disqualification, to delay the hearing.

Murphy is contesting the Jockey Club's calculation on Maguire's right to a 3lb claim. Noel Watkins, a solicitor acting on behalf of the

owner and trainer, said: "We have been given fresh evidence by the Jockey Club and need time to digest it. It is very complex."

He is far from satisfied that the Jockey Club's disciplinary committee would be correct if it disqualified Maguire from 13 races for incorrectly claiming.

The Suffolk trainer thinks that the Jockey Club have erred in including all Maguire's victories as an amateur in Ireland. Under Irish Turf Club rules, all wins count against a rider's claim.

2.10 WARSPITE HANDICAP HURDLE (£1,305; 2m (7))

MANDARIN
1.10 Keen Vision, 1.40 Almost A Princess, 2.10
Caudashore, 2.40 Sconce, 3.10 Sailor Boy, 3.40
Aberfoyle.

THUNDERER
1.10 Keen Vision, 1.40 Almost A Princess, 2.10 Bold
In Combat, 2.40 Curious Feeling, 3.10 Smartie Lee,
3.40 Aberfoyle.

GOING: STANDARD

SIS

1.10 VANGUARD JUVENILE NOVICES' HURDLE (£1,375; 2m (8))

1 1.30 KEEN VISION (S) D'Artagnan (7)
Peter Hobbs
2 2.04 SHAMROCK AL ARABIS 10F (D) M' Clelland 11-10
John Jenkins
3 2.05 ANTHONY'S FANTASY 10F (S) D'Artagnan 10-11
David McKeown
4 2.05 LADY ZAFIRAH 10F (S) D'Artagnan 10-11
John Jenkins
5 2.05 GREY DANCER 10F (J) Nash 10-11
J. Loder
6 2.05 SWAN HAWK 10F (D) P' Foden 10-12
W. Irwin (7)
7 2.05 RUMBLE 10F (S) D'Artagnan 10-11
P. D. Goss
8 2.05 CLIPPER ONE 8F Cunningham-Brown 10-11
R. Guest

114 Anfield Nellie, 7.5 Keen Vision, 8.2 Team Carpet, 8.4 Shambush, 8.5 Keen Vision, 8.6 Team Carpet, 8.7 Shambush, 8.8 Team Carpet, 8.9 Team Carpet, 8.10 Shambush, 8.11 Shambush, 8.12 Shambush, 8.13 Shambush, 8.14 Shambush, 8.15 Shambush, 8.16 Shambush, 8.17 Shambush, 8.18 Shambush, 8.19 Shambush, 8.20 Shambush, 8.21 Shambush, 8.22 Shambush, 8.23 Shambush, 8.24 Shambush, 8.25 Shambush, 8.26 Shambush, 8.27 Shambush, 8.28 Shambush, 8.29 Shambush, 8.30 Shambush, 8.31 Shambush, 8.32 Shambush, 8.33 Shambush, 8.34 Shambush, 8.35 Shambush, 8.36 Shambush, 8.37 Shambush, 8.38 Shambush, 8.39 Shambush, 8.40 Shambush, 8.41 Shambush, 8.42 Shambush, 8.43 Shambush, 8.44 Shambush, 8.45 Shambush, 8.46 Shambush, 8.47 Shambush, 8.48 Shambush, 8.49 Shambush, 8.50 Shambush, 8.51 Shambush, 8.52 Shambush, 8.53 Shambush, 8.54 Shambush, 8.55 Shambush, 8.56 Shambush, 8.57 Shambush, 8.58 Shambush, 8.59 Shambush, 8.60 Shambush, 8.61 Shambush, 8.62 Shambush, 8.63 Shambush, 8.64 Shambush, 8.65 Shambush, 8.66 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British bobbing gets serious in search of gold

RICHARD FRANCIS

Modern bobsleigh has a bizarre parentage. It was founded in a moment of absent-mindedness by the Great British Wizard Prang Tradition and mothered and raised by the East German Kafkaesque Sporting Machine. What an infant. The sport was invented by Hooray Henries in St Moritz a century ago, and brought to perfection in the East German winter sports "centre of excellence" in Altenberg, a few hundred miles or a million light-years away.

Four years ago the Brits had a well-do-it-best-anyway tilt at the Winter Olympics in Calgary, and finished twelfth in the four-man event and eighteenth in the two-man. Well, how are we supposed to compete against all that state backing? Hardly fair, is it?

This year, the Brits have a chance of gold in the four-man and are odds-on for a medal of some colour or other. They also have a fair shot for a medal-place in the two-man. In short, this year, British bobbing is serious.

Taste the atmosphere; it is one any sportswriter knows well. It reeks of purpose. These are not thrill-seekers, or attention-seekers, these are athletes, victory-seekers. There are a lot of black faces, a lot of demotiv accents, a lot of impressive physiques.

SIMPLY BEAUTIFUL

Last weekend, the British camp at Igls in the Tirol was suffused with team spirit and people almost exclusively by athletes wearing their "gameface".

At the top of the run, you see four men in crash-helmets, eyes closed. There is a sports psychologist in the back-up team and he has taught them the techniques of visualisation. The driver, Mark Tout, then gives each of his colleagues a butch whack on the biceps. "We all touch each other. You don't have to say anything. It's a reassuring touch, like when you see your Mum," Tout said.

The sled is eased back a fraction and then, with a bloodcurdling roar, as if this were bayonet practice, the boys are off and running. Tout is a former decathlete; the other three are all sub-1sec for the 100 metres. Lenny Paul, the brakeman, is the fourth-ranked British sprinter, and he intends to make the Summer Olympics as well. "I suppose bobbing does mean more to me — we have such a good chance," he said.

The East German Sporting Diaspora has changed the face of many sports, none more than bobsleigh. The Brits do not have to beat the East Germans any more;

they have East German allies instead. The former East German coach, Horst Hörmann, is now coaching the Brits. The British sled was bought from East Germany, a snip at £10,000. The squad is now training at the Altenberg winter sports centre of excellence, where there is even an indoor skijump.

The goal of all this training is a co-ordinated explosion. The first frantic five seconds of a run are what matters most. Driving skills are important, but speed at the start is what really counts. Even a driver will say that. The team-vibe is all.

Four years ago, Tout and Paul had a massive falling-out. They didn't talk for a year, walked past each other without saying "hello". "I'm very aggressive, very tense, very finicky," Tout said. "I'm always in there with both feet. Now I've toned this down a bit. The sports psychology has been brilliant. Also, I'm older, and this is a sport where older athletes, in their late twenties and early thirties, do better. I'm 30. Len has 33."

"We both have something to offer. In the end, I said to him, let's get on with it. And it's all so different to what it was four years ago. The team is tighter. So much

more focused. It's fundamental. Four years ago, ask the guys if we could win, they'd say yes. They still say yes — but the whole tone of voice is different. They really believe."

The aspirations have been helped along by sponsorship from Stella Artois and by the army's commitment to the sport.

Three of the top four-man team are in the army but neither Tony nor Paul has worn a uniform for four years. Tony is a corporal. Paul a sergeant. Both are *de facto* professional athletes, even if they draw money from the army. Rather as the East Germans and others did for years, in fact.

These are impressive people in an impressive sport. The sight of a four-man bob wall-of-deathing round a 270-degree curve, and the rasping rattle as it disappears down the icy chute, are stirring things.

"I was once asked to operate the video camera while the second crew were training," Paul said. "And as I watched them, I thought, this is unbelievable! It's mind-boggling! How fast they go! And I'm in a sled going even faster! Well, I had to get some one else to work the camera. I knew if I looked at it too much, I just wouldn't do it again. I had to walk away from the track. I wanted to keep my positive attitude."



At the sharp end: Tout drives the British four-man bob to a course record 51.89sec in Igls on Saturday

ICE HOCKEY

Durham widen the gap

BY NORMAN DE MESQUITA

WHILE the teams below them continue to beat one another, Durham Wasps sail serenely on and two more wins stretched their lead at the top of the premier division of the Heineken League to five points.

On Saturday, the Wasps took full advantage of Murrayfield Racers' physical approach by scoring seven goals on the power play, three of them in the first period, which they ended with a 6-1 lead.

The short trip to play the Whitley Warriors on Sunday took their unbeaten run to 17 games, and it is hard to see who will bring it to an end.

Fife Flyers will be relieved that they have paid their last visit of the season to the Basingstoke Beavers. Having already lost at Basingstoke, their overnight journey after beating Swindon Wildcats in the first division ended with their bus running out of diesel a few miles short of the Basingstokeink.

Quickly 2-0 behind, the Flyers did pull back to 2-2 midway through the first period, but did not score again until the Beavers were 5-2 ahead and on their way to a deserved win. The Flyers are still top of the division, one point ahead of Slough Jets.

RESULTS: Heineken League: Premier division: Bradford Bears 5, Ayr Raiders 6; Nottingham Panthers 8, Norwich and Peterborough Pirates 6; Cardiff Devils 5, Basingstoke Beavers 2; Coventry Blaze 6, Nottingham Panthers 4; Manchester Racers 6, Norwich and Peterborough Pirates 8; Whitley Warriors 3, Durham Wasps 6; Fife Flyers 2, Dundee Stars 1; First division: Basingstoke Beavers 4, Teesside Tigers 4; Fife Flyers 7, Swindon Wildcats 6; Milton Keynes Kings 3, Slough Jets 4; Nottingham Panthers 4, Coventry Blaze 4; Blackpool Blackhawks 12, Swindon Wildcats 9; Lee Valley Lions 5, Milton Keynes Kings 2; Slough Jets 4, Teesside Tigers 3; Scotland Merces 7, Fife Flyers 9.

CRICKET

Players lack adventure as script wears thin

FROM ALAN LEE
CRICKET CORRESPONDENT
NELSON, NEW ZEALAND

THE third first-class game of England's tour might easily be confused with the previous two. The title of the opposition has changed but the personnel and their priorities remain much the same. For Hamilton or Napier now read Nelson, with a script that is wearing a little thin.

The present opponents are grandly named a New Zealand XI, but they might just as well be the emerging players who launched the tour, or the Minor Associations from last week. Each team has comprised disparate young hopefuls, at best fringe Test match players, for whom there is far more to gain individually than collectively. Unsurprisingly they strain to be noticed, and the result, as yesterday, can be dispiritingly unadventurous.

Once the effects of overnight rain had cleared from this tip of the south island, there was time for 200 minutes' cricket. The mix-and-match XI managed a rate of fractionally above two per over in that time, not entirely due to the uniform brilliance of England's bowling, which fell more readily into the category of satisfaction.

As for England, Test selection is looking ever more straightforward, with Lawrence increasingly likely to miss the match and Reeve continuing to outperform Pringle. Lawrence will see an orthopaedic consultant today about his side strain, but Laurie Brown, the England physiotherapist, said: "I would give him no more than a 50% chance of playing."

The new ball, then, will be shared by yesterday's pairing of DeFreitas and Lewis, and they will be contrasting days.

DeFreitas, after a few early balls for leg before, bowled like a man who has something on his mind; for England's sake, one hopes it was the Test, and that he was merely pacing himself. Lewis looked sharp and, on switching ends for a second spell, made some rapid inroads into the innings.

Traralgar Park is a curious cricket ground. Sit square on the play and you might be in a dilapidated Beaver Homes League football ground, with an ancient wooden stand on one side, crumbling concrete terracing on the other, and an eyestore of a cycling track in the foreground. But sit on the grassy bank behind the arm, with the sea at your back and the hills a spectacular backdrop, and you have a view to treasure.

Lewis quickly removed Pocock, well taken down the leg side by Russell, off his glove, after showing his fielding ability. By throwing out the dithering Douglas in his follow-through, Lewis followed up with a leg-before decision against Brown, and the New Zealanders had plunged from 42 without loss to 47 for three.

Reeve, who has shown he can swing the ball, even in discouraging conditions, grabbed too soon at a return catch from Greatbatch when the big left-hander had made 14. But he got his man half an hour later, an attempted sweep looped off the top edge and Gooch took a simple catch.

RESULTS: New Zealand XI: First Innings S W Brown (bat) & Lewis (bowls) 30; B Pocock (bat) & Russell (bowls) 12; M Douglas run out 12; M Hartson not out 34; J T E Scott (bat) & Reeve (bowls) 18; Extra (lb 8, nb 1) 9. Total (4 wickets) 128. Second Innings 1-24, 2-44, 3-57, 4-64. BOWLING: DeFreitas 14-54-0; Lewis 12-5-18-2; Pringle 13-13-2; Reeve 11-7-11-1; Hick 9-34-0.

ENGLAND XI: G A Gooch, A J Stewart, G A Hick, R A Scott, A J Lamb, M R Pocock, M R Reeve, M R Russell, C Lewis, D R Pringle, F A J DeFreitas.

Test succumbs to rain

AUCKLAND: Heavy rain meant that there was less than two hours' play on the third day of the first women's Test match between New Zealand and England in Auckland yesterday (A Special Correspondent writes).

After England declared their first innings at 356 for nine, the Kiwis resumed on

Pakistan take the honours

BY BARRY PICKTHALL

KARACHI: Pakistan swept to a 29-run victory in the second one-day international yesterday after the Sri Lankan opening batsmen, Roshan Mahanama, succumbed to cramp as he led their challenge.

Sri Lanka, facing Paki-

stan's 40-over total of 210 for five, were dismissed for 181 in 36.1 overs after Mahanama was carried from the field. He had made 60, the top score in the match. Mahanama was playing well and dominating the bowling when he retired hurt in the 27th over after an innings of 128 balls. He did not return.

Pakistan made short work of the rest of Sri Lanka's batting. Wasim Akram finishing with three for 31 and Mushtaq Ahmed, a leg spinner, two for 39. Imran Khan, who scored 44 and took one wicket, was man of the match.

RESULTS: Pakistan: Riaz Rehman (bat) 35; Saeed Anwar (bowls) 48; Javed Miandad (bat) 29; Salim Malik (bat) 36; Imran Khan (not out) 44; Wasim Akram (bat) 7; Wasim Akram (bowls) 7; Javed Miandad (not out) 1; Extras (lb 4, w 1, nb 5) 10. Total (4 wickets, 40 overs) 210. Sri Lanka: Wasim Yousaf, Asif Javed and Mushtaq Ahmed did not bat. FALL OF WICKETS: 1-6, 2-16, 3-60, 4-160, 5-191. BOWLING: Ramanayake 8-17-0; Lakshman 5-0-55-1; Widner 5-1-26-0; Wickramasinha 8-0-43-2; Kalpage 5-37-0; Jayasuriya 5-0-27-1.

SRILANKA: R M Jayawardene (bat) 60; U C Hathurusinghe (bat) 14; A P Gunaratne & Wasim b Wager 13; P A de Silva c sub b Mushtaq 24; H C P Herath (not out) 29; H C P Herath (bat) not out 29; R Kalpage b Mushtaq 18; H C P Herath (bat) b Imran 18; H C P Herath (bat) b Wasim 7; K 13; K 13; Wickramasinha run out 7; P Wickramasinha b Wasim 0; Extras (lb 4, w 1, nb 1) 14. Total (4 wickets, 40 overs) 161. FALL OF WICKETS: 1-6, 2-16, 3-102, 4-111, 5-134, 6-155, 7-176, 8-191. BOWLING: Wasim 8-0-31-3; Wager 8-0-35-2; Asif 8-0-19-0; Imran 8-0-44-1; Mushtaq 8-0-26-0; Wasim 8-0-43-2; Kalpage 5-37-0; Jayasuriya 5-0-27-1.

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YACHTING

Conner's task complicated by fickle winds of change

Zealand's mighty monohull challenge in 1988. Most of all, they remember its outburst on television immediately after that one-sided victory when he told the New Zealand designer, Bruce Farr: "Get out of here ... you're a loser."

As a result, Conner has been shunned by much of corporate America and had trouble raising even half of his proposed \$30 million defence budget. The big spender who invented the multi-boat campaign is suddenly reduced to having a single yacht and running the operation on \$15 million.

What people remember now are the investigations by the US Internal Revenue Service into payments of more than \$1 million to trustees, including Conner, from the charitable trust that funded his 1987 campaign, which finished heavily in the red.

They remember his unsporting defence with a catamaran against New Zealand's mighty monohull challenge in 1988. Most of all, they remember its outburst on television immediately after that one-sided victory when he told the New Zealand designer, Bruce Farr: "Get out of here ... you're a loser."

As a result, Conner has been shunned by much of corporate America and had trouble raising even half of his proposed \$30 million defence budget. The big spender who invented the multi-boat campaign is suddenly reduced to having a single yacht and running the operation on \$15 million.

To add to his troubles, he faces an uphill struggle for the defender's berth against a man with bottomless pockets whose main motivation is not only to win the Cup, but to "stick it up Dennis". Bill Koch, who has a net worth in excess of \$500 million, was one of Conner's backers in 1987. He might still be today. His Stans and Stripes skipper has not gone back on his word to provide Koch with the computerised velocity prediction programmes his money was used to develop.

Koch's America's syndicate has two boats in the water and two more on order. He and his fellow skipper, Buddy Melges, intend to play tag-wrestling tactics by taking it in turns to wear down Conner's inferior strengths during the four rounds of defender trials.

Koch's one weakness is his predilection for steering his own race yachts rather than rely on the greater skills of those around him. He may have enough in his armoury to defeat Conner, but many doubt whether his skills are sufficient to bear off the strong challenges from New Zealand or Italy.

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ENGLAND XI: G A Gooch, A J Stewart, G A Hick,

FOOTBALL

Taylor demands Gascoigne prove his match fitness

By DAVID MILLER

PAUL Gascoigne will need to be back in action in ten weeks' time if he is to have any chance of making the England squad for the European championship finals in Sweden in June, the draw for which is made on Friday.

Graham Taylor, the England manager, said yesterday that he thought it would be necessary for Gascoigne not only to be back in the Tottenham first team but to have played a couple of international matches to judge whether he had recovered fitness sufficiently to earn his place. Everyone will remember Gascoigne's colourful and emotional contribution to England's World Cup surge to the semi-final, but now his knee injury must weigh heavily against him.

For the moment, Gascoigne is still jogging. When

he joined the Tottenham substitutes on the bench at Villa Park ten days ago, he was given a friendly cheer by the home supporters. It is a long haul back from such an injury as he inflicted upon himself in the FA Cup final against Nottingham Forest.

With England's squad of 20 having to be nominated on June 1, Gascoigne would have to be available again against Hungary on May 12. For that to happen, he would need to have been playing in the first division for the last month of the season and would therefore have had to be available for reserve football from the beginning of April. The outlook for him is somewhat bleak.

Taylor will have been particularly interested in a joint statement issued by Fifa and Uefa yesterday which con-

Lineker comes back

By LOUISE TAYLOR

GARY Lineker and Gordon Durie return to the Tottenham Hotspur attack for tonight's FA Cup third-round replay at home to Aston Villa. They are fit to join Paul Walsh in a three-man forward line as the holders aim to retain their interest in this season's competition by improving on the 0-0 draw at Villa Park nine days ago.

Villa, half of whose first-team squad had their boots soled at the weekend, are likely to recall Steve Staunton

in a left-sided midfield role with Bryan Smart at left-back.

Cambridge United have reached the FA Cup quarter-finals for the past two years and Coventry will not relish their replay at the Abbey Stadium. "Tactically, it will not be a chess match," Don Howe, the Coventry manager, said. "We must be resolute at the back, take care of the flicks and when we get the ball we must play the way we want to and not the way they want us to."

Ratcliffe allowed to leave

KEVIN Ratcliffe, the most successful captain in Everton's history, was yesterday made available for transfer.

Howard Kendall, the Everton manager, announced that Ratcliffe, aged 31, would be allowed to leave the club less than 24 hours after he had paid neighbours Liverpool £750,000 for Gary Ablett, the England B international defender.

Under Ratcliffe's leadership, Everton won two League championships, the

FA Cup and the European Cup-Winners' Cup.

Mark Cooper, the son of Terry Cooper, the Birmingham City manager, yesterday began a three-day trial with Liverpool, which could lead to a £250,000 transfer from St Andrews to Anfield for the midfield player.

The African nation's cup got underway with Cameroon winning the opening game of the tournament — 1-0 over Morocco — with Andre Kana Biyik scoring the goal. Senegal, the host country, lost 2-1

to Nigeria.

El Wycombe Wanderers, the holders, meet Woking in a clash of the non-League giants in the second round of the Vauxhall FA Trophy.

SECOND-ROUND DRAW: Titled "Takes" v "Takes" or "Takes" v "Takes"?

SECOND-ROUND DRAW: Titled "Takes" v "Takes" or "Takes"?

SECOND-ROUND DRAW: Titled "Takes" v "Takes" or

- TENNIS 32
- RACING 33
- FOOTBALL 35

THE TIMES SPORT

TUESDAY JANUARY 14 1992

Council agrees to continue negotiations next month

FA defers Premier League decision

By STUART JONES
FOOTBALL CORRESPONDENT

A DECISION on the formation of the Premier League has been deferred. At the end of a meeting which lasted for almost three hours at Lancaster Gate yesterday, the members of the Football Association council agreed only that they would reassemble for a special meeting to be convened on February 20.

"The show is still on the road," Graham Kelly, chief executive of the FA, declared. He and Rick Parry, the designated chief executive of the Premier League, were concerned that the wheels might have fallen off either in London or Nottingham, where representatives of the first division clubs gathered on Sunday.

Instead, they have been given the authority to continue talking to the various interested parties, which for the first time will include the Football League, next Tuesday. Yet the progress of a concept conceived by Kelly nine months ago is being made at the pace of a somnambulant snail.

The foundations are being laid, nevertheless, and Kelly remains convinced that the Premier League will indeed be established in time for the start of next season on August 15. The public, however, may question whether the historic development will have been worth it.



Indecision time: Parry, left, and Kelly yesterday

Decision sought on trust money

By PETER BALL

GOVERNMENT funding for football ground improvements is fast becoming a fraught political issue. Yesterday Tom Pendry, MP, the chairman of the Commons all party football committee, wrote to the chancellor, Norman Lamont, demanding a statement on the government's intentions regarding Premier League access to the funds, based on the tax concessions made to football by John Major in the 1990 budget.

Last week the Football Trust, which administers the money - £20 million a year for five years - asked the minister for sport, Robert Atkins, to decide on whether

The Football Trust has ap-

plications pending from most of the 22 first division clubs, which are allocated under an agreement with the government and the Football and Scottish Leagues.

With the Premier League clubs about to leave the lower division clubs in the lurch in pursuit of FA gold, their right to the grants has been contested, with Football League officers accusing them of "trying to hijack the money". It has been thought that in election year, the government, which itself is divided on the issue, might be reluctant to be seen to be giving to the rich, particularly a group who are widely seen as purely selfish, and so far Atkins has not taken any decision.

The Football Trust has ap-

Supporters offer FA Cup contrast

TED Pearce, the manager of non-League Farnborough Town, expects 30 coaches of supporters to travel to Upton Park for his side's FA Cup third-round replay with West Ham United tonight (Louise Taylor writes).

"If the door was left open for us after that game, it must be a little wider now," Pearce, whose team drew 1-1 at the first division club's ground ten days ago, said. "My players will approach this in a more relaxed fashion, knowing that we have to put them under a bit more pressure in their box if we can."

Lodged in the first division relegation zone and facing protests from supporters against their now notorious away at Hereford United.

Lineker returns, page 35

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LINGUAPHONE



Morale restored by a powerful performance

IF EVER a morale-boosting performance was demanded by a team, it was needed by Leeds United against Sheffield Wednesday on Sunday.

To deliver the kind of performance we did, a 6-1 win in front of the watching millions on television, exceeded even our own ambitions. We can now look forward to our final confrontation against Manchester United, in the delayed FA Cup third-round tie tomorrow night, with much-needed confidence.

Confidence so vital at any time, can so easily be lost on the back of a poor result. Once lost, it becomes increasingly difficult to regain. Any team, no matter how successful, is going to suffer setbacks. The measure of the team is how it overcomes those setbacks.

On Sunday, we demonstrated we have the resilience

and character to bounce straight back to our best. We must show these same qualities tomorrow night in our attempt to square the series of confrontations.

Our team selection on Sunday was governed by the injury to Gordon Strachan and the suspension of David Batty. Much had been made of our apparent weakness in terms of squad strength and how we would not be able to perform without such key members of the team.

But even without them, the psychological necessity for victory at Hillsborough led Howard Wilkinson, our manager, to select a very attacking formation. Steve Hodge came into a three-man midfield and Carl Shutt was selected on the right flank, opposite Rod Wallace, with myself in the middle.

This was a formation rea-

tively unfamiliar to us all but I don't think you would have known it from the way we played. Fluid passing movements were soon evident as both full backs and wide players started to tear the Wednesday defence to shreds.

This penetration down Wednesday's flanks resulted in the best service I have received during my time at Leeds. Not only were there plenty of crosses delivered into the opposition penalty area but most of them came from behind the opposition's

defence - far more penetrating than those delivered from in front.

My three goals and the overall team display gave me an immense amount of satisfaction. It was all the greater for having been achieved on my stamping ground.

In four years there, I never managed to score three times in a game. It also gave equal pleasure to Howard Wilkinson, McIver Sterland and Carl Shutt, who all enjoyed lengthy spells at Hillsborough.

One contentious point

arising from the match was that of the penalty awarded to Wednesday. Most seasoned professionals will, if tripped or pushed, offer little resistance to their inevitable fall to the ground. This is acceptable.

What is unacceptable is when a professional seeks to gain a penalty by deliberately diving when no such contact occurs. This was seen to happen on Sunday, when Gordon Watson was adjudged to have been fouled by Chris Whyte. This sort of thing must be stopped for the good of the game.

On a lighter note, that endangered species, the streaker, made an appearance during the match, albeit partly clad. It appears the lady in question was the owner of a massage parlour protesting at a decision to tax her earnings. No one, it

seems, can escape the clutch of the Inland Revenue.

After prolonged inaction by everyone at the ground, it fell to me to ask her to leave the field. What did I say? Well, contrary to some of the suggestions I have since received, I did not ask for her telephone number; I just advised her to contact her local MP and she seemed happy with that and left without further ado.

So we report for training today after a well-deserved day off. We have little time to prepare for our final match with United.

Our best preparation was, perhaps, our display against Wednesday. United have knocked us out of one competition already: we must not let them do it again.

*****</p